

1933.

Kenya.

111
7

No. 3065.

SUBJECT

CO 533/432

Fee Levy on Official Salaries Ordinance.

Previous

18228/32

Subsequent

23295/34.

2
1. authenticated
2. printed copies
to library.
Governor Byrnes 12 _____ 4 Jan
Trans. docs authenticated & 12 printed copies of
the Levy on Official Salaries (Amend.) Ordinance No 27/1932.

This seems to follow out the
suggestions in paras 6 and 7
of the despatch at 50 in 27047/11/32.

? Subject to any legal obsms
simply note. (T.T. Dyer
should see.)

Mrs. P. M. S. M.
24/1/33.
W. P. M.
in

Legal Library

Pls att a copy of the
Bimshat Order

[Signature]
11.7.33

I am afraid this Kenya Ordinance will not
do. The effect of (5) on 27047/11/32, which I gather
is to be adhered to, is, as I understand it, that
officers in a joint service should pay the levy only
under and in accordance with the Ordinance in force
in the territory where they are serving, that in the
case of a joint department such as the Kenya and
Uganda Posts and Telegraph Department, the levy should
be apportioned between the territories running it, and
that in the case of a service such as Amani, the
proceeds of the levy should be credited to the revenue

The effect of the Kenya Principal Ordinance, as amended by this Ordinance, however, seems to be that the Kenya levy is imposed upon all officers in joint services who are engaged wholly or in part by the Kenya Government. I am not sure what effect this has, since I do not know the terms of the engagements of all the officers in joint services. By way of example, however, the officers of the Kenya and Uganda Posts and Telegraph Department who are permanently on service in Uganda should be exempt from the Kenya levy, but presumably they are engaged by Kenya and Uganda jointly, so that they are in the service of the Government of Kenya, and come within section 4 of the Principal Ordinance as interpreted by the definition of "public service" in section 2.

It is clear that the Ordinance includes officers in the Northern Brigade of the King's African Rifles, the Governor's Conference establishment, and the Joint East African Meteorological Service (see the definition of "public service"). If the first two categories can always be regarded as serving in Kenya, I see no objection to the definition remaining as it is so far as those categories are concerned, provided, of course, they are excluded from the levy Ordinances of the other territories concerned; but I understand that certain of the officers of the Meteorological Service are certainly not serving in Kenya. Similarly, it is clear from the amending Ordinance that Kenya intend to impose the levy on the salary of officers of the Amani Research Station, whereas I believe I am right in saying that none of them is ever stationed outside

I think the intention is to exempt the Amani Station

outside Tanganyika.

J.O. Pollock-Wray

16.3.33.

Tome 5/4.

This has been discussed with the Revenue
 It does not seem necessary to go into the actual legal position of officers in "common services" or in those services joint services which are excluded from the definition of "common services"; on the assumption that all officers in both kinds of service are "in the public service" of each of the territories concerned, there is power to exempt from the levy any person wholly or partially any person or class of persons.

2/22/11/14
 No 5.

The policy which the S.F.S. has laid down will be fulfilled if in these cases the power of exemption is used in such a way that the officer in which any given office is called upon only to pay a single contribution levy at the suppressed rate - i.e. the rate in force in the territory in which he is stationed. Such a use of the power of exemption, I think, he assumed, and my objection would be to maintain it. (P. Hunter agrees)

J.O. Pollock-Wray 16/4

I do not wish to raise objection to the course proposed

J.O. Pollock-Wray

28.4.33

I am not very clear why it is necessary to include mention of the Amami Research Station in Sections 4 (c) & 4 (d) of the Ord^s. Amami is not included in the definition of "public service" in the original Ordinance, & the Amami staff are stationed entirely in Tanganyika and are regarded for purposes of pay & administration as under the jurisdiction of that Territory - though it is true that no mention of that fact is made in their letters of app^t (see S.S. No 1. on 31098EA). All that Kenya does in practice is annual contribution to the expenses of the Station: & that seems hardly to give the Kenya Legislature any power to decide what shall happen to the salaries of the staff. But on the intention is to make it clear that ^{the law on} Amami Staff salaries does not accrue at all to Kenya, which is what we want, I see no reason to object if the Legal Advisers are satisfied. (I have discussed very briefly with Mr Roberts-Wray, & I gather he would not dissent from the above)

They've got to mention it to remove doubt.

4
This Ordinance has been drafted in accordance with the instructions given in S in 27097/4/52 and a similar Ordinance has been passed in Uganda S in 3570/53. It is to be presumed that the S.S. Gov^t will also pass a similar Ordinance.

I agree that it is not clear why Amami should be included in the Kenya Ordinance, but I do not see any objection - especially if the three S.S. Gov^t pass identical legislation.

The Subologist of Amami is at present engaged upon research work in Kenya & is likely to be there for some considerable time - may be 2-3 years - if the present programme of work is not interrupted. It might be contended that an officer engaged upon such work should be considered as being stationed in Kenya, but we have never considered him as still being "stationed" at Amami & therefore subject to the Tanganyika salary levy. In such a case the Kenya Gov^t would be acting solely as an agent of the Gov^t of S.S. which is regarded as being responsible for pay, discipline, pensions etc of the Amami staff.

I have discussed with Mr Seal, who was unaware that Mr Kishapatnik, the Sub at Amami, was carrying on his work in Kenya.

Jo H. K. Dal...

I think we can
signify non-disallowance

J.S.O. 7/2/33
3-5
advice

Initial
copy
25-5-33

2 To Gov 291 (1 answer) G/S 3 MAY 1933

Parliamentary question by Mr. Lunn.
No 1 on P. & file

Note:
The Bureau of Post is in agreement with the view
that the tax on Official Salaries District 1933 should be
allowed to lapse as soon as the budgetary provision is made,
I would prefer that it should lapse simultaneously with
the introduction of an Income Tax. (For minutes regarding
Kenya, Uganda & T.T. see 2-11-33/13 E.A.)

3. Income Agents (Kenya) 21 Feb 33
Trans. copy of a letter from the Administration K.V. ally
giving details of revised rates of levy.

W.R.
W.R.
C.M.

Lin. 311 } to see No. 3.
E.A. Dept.

C.P. Poley
8/5/33
advice

- 4. Govt Notice No 821.
Order.
- 5. Proclamation No 99.
- 6. Govt Notice No 68 of 1933.
Transport Services Levy 1933.

I do not know why the levy on 5
the K.V.R salaries (6) should differ
from that on other officers (7) of the
Kenya service (4). It has possibly
something to do with the proposed
basic rate of income tax were
imposed. This will require clearing
up locally when the question of the
imposition of income tax or graduated
poll tax has been decided.

W? Meanwhile no action can very well
be taken here

J.S. P. M. S. M. E.
19/5/33

It's the Uganda rate if we can leave it.
The Railway is separate
P.S. J.S.O. 7/2/33
22-5
advice



7. Extract from Leg. Council Debates 17 Dec 32

8. Extract from "Times" 31st Oct 33

7. ? Put by
8. ? Be was advised a communication
for Kenya in this.

8. I rang up the C.A. who had
heard nothing of this from Kenya &
did not seem to have seen the Times
notice which I quoted to them.

We have on previous occasions
been left to learn from the newspapers
of changes in the rate of the levy
(vide No. 1 on 18 22/8/32 etc.).

Up to now since July 31, 1932
the rate has been 6% up to \$1000
and 10% after that. The Times keeper
is not strictly correct in talking about
a 'reduction'.

The fear that the change is to be
retrospective may cause inconvenience.

? R.S.D. & R-311 to see & bring
up in a fortnight if there's nothing
in by then.
R.D. Davis: 3 Nov

[Handwritten signature]

Intending if time. They are reducing the pay for
the junior officers first as is proper.

It was laid down in 1918, & down through
papers that under reduction in the addition of
any salary by ^{the} ~~the~~ matter for paid commutation
with the S.D.S. I am not sure whether it is suggested
that a general circular would be that offer should be
accepted, but, if not, the same may be used again
possibly now to take some action of that kind.

[Handwritten signature]
5.11

I don't think there is need
for a circular, because most
Col. Gots. do this as a
matter of course. It is, after
all, fairly obvious that
it is desirable for a Col. Gots.
which wants to reduce a
abolish its pay to find

out, before making any announce-
ment, that the S.D.S. agrees.
It would be too bad if the S.D.S.
had to disappoint hopes which
the local Govt. had raised.

The S.D.S. has ruled that
remission of salary pay must,
in the absence of very special
circs., proceed ~~from~~ only
alongside of the remission of
emergency taxation. But this
key change is an adjustment
of the burden rather than a
remission.

? await developments
[Handwritten signature]
6.11.33.

Yes wait a fortnight
31.7.7. at once
Oct. 13

Rubin 31/100
to see

[Handwritten signature]

Room 311
Lun. Officiants
D.H. 97
S.H. 11/11
J.P. 11/11

Revised, wide minute above.

[Handwritten signature]
21.11.33
Reg. 297

? Wait another fortnight
R.D. Davis: 2.11

X Mr. Freeman has now
drawn a graph which
shows how the Times
is quite right - children
below \$1000 is a
reduction.
MD: 7/11

9. Govt Notice No 672 of 1933.

The Times correspondent is
bored out by the Kenya Sport League;
but the Kenya Sport League has not
thought fit to report its decision
by despatch.

Perhaps - will send some representation
to Mr. Dore w.r. next the case?

Sturges
2/11
W. H. Dore
2/11

10. Governor's Notice No 235 — 29 Nov 33

States both Budgets have been balanced on the
assumption that Ordinances will be extended to 1934, rate
as at present. Requests approval by tel.

? Tel. graph approval
(minutes on 9. above are insufficient)

TR Davis: 29/11

(The enquiry is due to the fact that the
Ordinance expires automatically on 31/12/33,
unless renewed.)

There can be no doubt that the
Colony's levy must continue. The
position of the K.V.D. levy is affected
by the decision that Uganda may abolish

the levy as from 1/1/34. But

? Tel. approved; a notice Uganda
by an mail despatch that the Uganda Ord-
inancing a K.V.D. levy shd. be prolonged.

Sturges
29/11

Yes: Kenya is keeping up its emergency taxation has
only just imposed it, in fact.

W. H. Dore
29/11

To Governor Tel No 250 — 30. 11. 33

The Uganda Levy on Salaries (Transport
Services) Ordinance, will be found below No. 2. on
22043/32.

Section B thereof provides that the Ordinance
shall continue in force until the 31st December,
1932, and shall then expire; provided that the
Governor may, by proclamation, with the approval
of the Legislative Council and of the Secretary of
State, declare that this Ordinance shall remain
in force until a date to be fixed in such
proclamation.

Mr. Malone has today attached to 22043/32
Legal Notice No. 140 of 1932 proclaiming that
"with the approval of the Leg. Co. and of the
Secretary of State" the Transport Services Ordinance
should remain in force until the end of 1933.
(This Notice was overlooked at the time it appeared
in the Gazette). It does not appear that, in spite
of the wording of this proclamation, the Secretary
of State's approval was ever specifically sought.

I submit a draft, a copy of which, if approved,
might go on 3520/33 Uganda.

TR Davis: 4 Dec

1 wd. sent para 2 of the aft.

[Handwritten signature]
7/11

I should prefer to leave it in the hands
approval of the extension of the order,
is legally required, so we had better
give it to leave the Govt.

[Handwritten signature]

5/12

Yes, better leave it in though I don't think to
ordinance which makes the 5/12 - totally unnecessary in
this instance.

1.10.1933

11

12

To Uganda 516

DEC 1933

seen
[Handwritten signature]

By this mail
5/12/33
for
action on
10/1/33
sum 1933
M. W.

Kater
to see

C.S.D. to see

present

Lily
11
[Handwritten signature]

13. Govt Notice No 62 of 1934.

Part 1

Part 2: 2/3
Wm

(M)

P

9 13

GOVERNMENT NOTICE NO. 62

THE LEVY ON OFFICIAL SALARIES ORDINANCE,
1931.

ORDER.

WHEREAS it is provided by section 4 of the Levy on Official Salaries Ordinance, 1931, that the Governor in Council may by order impose a levy, at a rate to be specified in such Order, on the chargeable salary of every officer in the public service :

And whereas it is provided by section 5 of the said Ordinance that whenever such an Order has been made it shall be lawful for the Treasurer at the time of payment to deduct from the salary of each officer in the public service the amount of levy payable by such officer in respect of the period for which chargeable salary is then due and payable :

And whereas in pursuance of the said powers conferred by section 4 of the said Ordinance His Excellency the Governor in Council has from time to time by Order imposed a levy on the chargeable salary of officers in the public service :

And whereas doubts have arisen with regard to the interpretation of the said Orders :

And whereas His Excellency the Governor in Council is advised that it is desirable to set out in greater detail the deductions of levy which may be made from an officer's salary :

Now, therefore, His Excellency the Governor in Council has been pleased to order as follows :

(1) A levy on the chargeable salary of every officer in the public service shall be imposed at the following rates :—

- (a) Where the rate of chargeable salary does not exceed £50 per month : on the chargeable salary 5%
- (b) Where the rate of chargeable salary exceeds £50 per month :
 - (i) On the first £50 per month of the chargeable salary 5%
 - (ii) On that portion of the chargeable salary exceeding £50 per month, but not exceeding £83-6-8 per month 7½%

GOVERNMENT NOTICE No. 62

THE LEVY ON OFFICIAL SALARIES ORDINANCE,
1931.

ORDER.

WHEREAS it is provided by section 4 of the Levy on Official Salaries Ordinance, 1931, that the Governor in Council may by order impose a levy, at a rate to be specified in such Order, on the chargeable salary of every officer in the public service:

And whereas it is provided by section 5 of the said Ordinance that whenever such an Order has been made it shall be lawful for the Treasurer at the time of payment to deduct from the salary of each officer in the public service the amount of levy payable by such officer in respect of the period for which chargeable salary is then due and payable:

And whereas in pursuance of the said powers conferred by section 4 of the said Ordinance His Excellency the Governor in Council has from time to time by Order imposed a levy on the chargeable salary of officers in the public service:

And whereas doubts have arisen with regard to the interpretation of the said Orders:

And whereas His Excellency the Governor in Council is advised that it is desirable to set out in greater detail the deductions of levy which may be made from an officer's salary:

Now, therefore, His Excellency the Governor in Council has been pleased to order as follows:

(1) A levy on the chargeable salary of every officer in the public service shall be imposed at the following rates:—

- (a) Where the rate of chargeable salary does not exceed £50 per month: on the chargeable salary 5%
- (b) Where the rate of chargeable salary exceeds £50 per month:
- (i) On the first £50 per month of the chargeable salary 5%
- (ii) On that portion of the chargeable salary exceeding £50 per month, but not exceeding £88-6-8 per month 7½%

(iii) On that portion of the chargeable salary exceeding £83-6-8 per month ... 10%

(2) A levy on the chargeable salary of every officer and soldier of the King's African Rifles in the public service shall be imposed at the following rates:—

(a) Where the rate of chargeable salary does not exceed £83-6-8 per month: on the chargeable salary ... 5%

(b) Where the rate of chargeable salary exceeds £83-6-8 per month:

(i) On the first £83-6-8 per month of the chargeable salary ... 5%

(ii) On that portion of the chargeable salary exceeding £83-6-8 per month ... 7½%

This Order shall be deemed to have come into force on the 1st day of January, 1933.

(Government Notice No. 672 dated the 29th day of September, 1933, is hereby revoked.

By Command of His Excellency the Governor in Council.

Nairobi.

12th January, 1934.

J. F. G. TROUGHTON,
Clerk to the Executive Council.

GOVERNMENT NOTICE NO. 63

THE LEGISLATIVE COUNCIL ORDINANCE.

RULES.

IN EXERCISE of the powers conferred upon him by section 29 of the Legislative Council Ordinance (Chapter 24 of the Revised Edition), His Excellency the Governor in Council has been pleased to make the following Rules:—

1. These Rules may be cited as "the Voting by Post Rules, 1934", and shall apply to the election of members for the electoral areas mentioned in Part A of Schedule I of the Legislative Council Ordinance.

C. O.

3065/33 Kenya

10 12

- Mr. Davies *w/12*
- Mr. ~~Freeman~~ *5*
- Mr. ~~Clark~~ *7/2*
- Mr. ~~Parsons~~ *5-12*
- Mr. Tomlinson
- Sir C. Bottomley
- Sir J. Shackburgh
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State

To go by the Air Mail of the 5th Dec.

5-DEC
 0 5 1

5 December 1933

Sir,

St

DRAFT. *Cham*

UGANDA

No. 516

Governor

I have etc. to inform you that ^{during Dec.} I have approved the extension to 1934 ^(to 1934) of Kenya Ordinances No. ~~67~~ ^{LVII} and ~~68~~ ^{LVIII} of 1931, entitled "Levy on Official Salaries Ordinance, 1931", and "Levy on Salaries (Transport Services) Ordinance, 1931" respectively. In these circumstances I desire to ^{advise} ~~inform~~ you that you will have my approval ^{of the issue of} ~~in issuing~~ a similar proclamation under Section 8 of the Uganda Levy on Salaries (Transport Services) Ordinance, 1931, extending ^{to (to 1934)} its effect to the 31st ^{of December} ~~January~~, 1934, and you will doubtless take steps to procure the requisite concurrence of ^{the} ~~the~~ Legislative Council for ^{in this kind.} such a procedure. ~~And is also required~~

FURTHER ACTION.

Copy to go on 3620/33 Uganda

2. I observe that a proclamation appeared in Supplement No.2 to the Uganda Official Gazette dated the 15th of December, 1932 (Legal Notice No.140 of 1932) to the effect that the Levy on Salaries (Transport Services) Ordinance, 1931, should remain in force until the 31st of December, 1933. ~~But~~ It would appear that my ^{consent to} ~~sanction~~ for the issue of this proclamation ^{was not} specifically sought ^{at the time} & I therefore ~~wish to~~ take this opportunity ^{of} ~~to~~ convey ^{ing} to you my approval ~~of it~~ thereof.

I have etc.

(Sgd.) P. CUNLIFFE-LISTER.



DMIT
[Handwritten scribbles]

See serial
[Handwritten scribbles]
Better leave it
[Handwritten scribbles]

(which is registered under section 8 of the Ordinance)

30 NOV 1933
Mr. Davis
Mr. Frazier 30

- Mr. Hood 56-11 address
- Mr. Parkinson.
- Mr. Tomlinson.
- Mr. C. Bottomley.
- Sir J. Shackburgh.
- Perms. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

3065/33/2

11

Loaded + sent

12-45 PM

30/11/33

APD.

DRAFT.

code val
vank limits

Gr.
Nairobi

No 250

(10) Your Val. No. 235.

Salary less 0 I

approve

seen

~~18c.~~

Reciev. in red for
a debate to p
5 Tuesday
air mail

RECEIVED
COPY FOR REGISTRAR
29 NOV 1933
C. O. REGY

12
10

Telegram from the Governor Kenya to the Secretary of State for the Colonies.

Dated 29th November. Received at 10-41am 29th November 1933.

No 235.

NoH
14/10/33
Reference Ordinances Nos 57 and 58 of 1931 sections 9 and 8 respectively. Both Budgets have been balanced on assumption that validity of both Ordinances will be extended to 1934 --- rate as at present. Do you approve telegraph reply.

Amud. (11)

GOVERNMENT NOTICE No. 672

THE LEVY ON OFFICIAL SALARIES ORDINANCE,
1931.

ORDER.

IN EXERCISE of the powers conferred upon him by section 4 of the Levy on Official Salaries Ordinance, 1931, and subject to the provisions of section 8 of the said Ordinance, His Excellency the Governor in Council has been pleased to impose a levy on the chargeable salary of—

1. (1) Every officer in the public service, other than an officer or soldier of the King's African Rifles, at the following rates—

- (a) On the first £500 of chargeable salary
- (b) On that portion of the chargeable salary exceeding £500 per annum, but not exceeding £1,000 per annum 7½%
- (c) On that portion of the chargeable salary exceeding £1,000 per annum 10%

(2) Every officer and soldier of the King's African Rifles in the public service, at the following rates—

- (a) On the first £1,000 of chargeable salary 5%
- (b) On that portion of the chargeable salary exceeding £1,000 per annum 7½%

2. This levy shall be deemed to have come into force on the 1st day of January, 1933.

3. Government Notice No. 821 dated the 30th day of December, 1932, is hereby revoked.

By Command of His Excellency the Governor in Council

Nairobi,
29th September, 1933.

H. E. BADER,
Clerk to the Executive Council.

14

8

Extract from "Times" 31st October 55

KENYA Government announces a reduction in the levy on Civil Service salaries instituted two years ago at the low height of the depression. The decision is retroactive to January 1 last. The new scale is 5 per cent. on the first £600, 7 1/2 per cent. up to £1,000, and 10 per cent. thereafter.

7¹⁵

SATURDAY, 17th DECEMBER, 1932

The Council assembled at 10 a.m. at the Memorial Hall, Nairobi, on Saturday, the 17th December, 1932, His Excellency the Governor (BRIGADIER-GENERAL SIR JOSEPH ALOYSIUS BYRNE, K.C.M.G., K.B.E., C.B.) presiding.

His Excellency opened the Council with prayer.

MINUTES.

The minutes of the meeting of the 16th December, 1932, were confirmed.

PAPERS LAID-ON THE TABLE.

The following paper was laid on the table:—

By THE HON. T. D. H. BRUCE (SOLICITOR GENERAL):

Report of Select Committee on the King's African Rifles Bill.

NOTICE OF MOTION.

THE HON. T. D. H. BRUCE: Your Excellency, I beg to give notice that at a later stage of this session I shall move the adoption of the Report of the Select Committee on the King's African Rifles Bill.

BILL.

SECOND READING.

THE LEVY ON OFFICIAL SALARIES (AMENDMENT) BILL.

THE HON. THE ATTORNEY GENERAL (MR. A. D. A. MACGREGOR, K.C.): Your Excellency, I beg to move that the Levy on Official Salaries (Amendment) Bill be read a second time.

A levy on official salaries has been in force in this Colony and in Tanganyika Territory since the first day of this year, and, as hon. Members are no doubt aware, Sir, it is the intention of the Government in the Uganda Protectorate to impose a similar levy as from the beginning of 1933. The experience of the practical workings of the measure has, I think, been on the whole quite satisfactory, but one difficulty has become quite obvious: that is a difficulty inherent in our constitutional position here in that there are certain services common to two or more of the East African Territories. Those common services, Sir, fall into two categories. There is, firstly, that group of services common to this Colony and to the Uganda Protectorate—the Customs, Post Office and Coast

Agency, for instance—one of which we hope shortly will be common also to Tanganyika Territory; and there is the second group of services which are common not only to these Territories but to other parts of Africa—those are the cultural Station at Amani, the East African Governors' Conference, and the East African Joint Meteorological Service. If I may take the first group, Sir, hon. Members are aware that the personnel of the indivisible part of those services borne on the Estimates of this Colony, but the cost of those officers is in part contributed to by reimbursements from Uganda Protectorate, and the Government of Uganda represented that inasmuch as they pay part of the salary is but right that they should be credited with part of the levy imposed on those salaries. That, Sir, is the object of the first sub-section of clause 4 of the Bill, which provides refund from the amount of the levy on the salaries of officers of that group of common services which are contributed to by other Governments, the grant of a proportional refund to the Governments so contributing.

Then when we come to the other group, the position is slightly different, in that, for instance, the Government of Egypt and the Government of the Sudan contribute to the Joint Meteorological Service; so it has been agreed, subject to confirmation by this House, that in the case of those three services the levy on the salaries of officers employed on those services shall be paid to and form part of those salaries. The effect of that, of course, being not any increase in the activities or the operations of those departments, but carrying on of their existing activities at a slightly higher cost.

Those, Sir, are the main provisions of the Bill, and I beg to move that it be read a second time.

THE HON. T. D. H. BRUCE: Your Excellency, I beg to second.

The question was put and carried.

MOTION.

THE LEVY ON OFFICIAL SALARIES.

THE HON. THE COLONIAL SECRETARY (MR. H. M. MOORE): Your Excellency, the motion standing in my name is more or less of a formal character and complementary to the passage of the Bill the second reading of which has just been passed. Under clause 9 of the Principal Ordinance, it is laid down that the Ordinance shall continue in force until the 31st day of December 1932, and shall then expire, provided that the Governor may by proclamation, with the approval of the Legislative Council and of the Secretary of

GOVERNMENT NOTICE No. 68

THE LEVY ON SALARIES (TRANSPORT SERVICES) ORDINANCE, 1931.

ORDER.

IN EXERCISE of the powers conferred upon him by section 4 of the Levy on Salaries (Transport Services) Ordinance, 1931, His Excellency the Governor in Council, at the request of the High Commissioner for Transport, has been pleased to impose, with effect from the first day of January, 1933, a levy on the chargeable salary of every servant of the High Commissioner for Transport at the following rates:—

- (1) Where the chargeable salary of a servant of the High Commissioner for Transport does not exceed one thousand pounds per annum ... 5 per centum of the chargeable salary.
- (2) Where the chargeable salary of a servant of the High Commissioner for Transport exceeds one thousand pounds per annum ... 5 per centum of the first one thousand pounds of the chargeable salary, and 7½ per centum of the chargeable salary in excess of one thousand pounds.

Government Notice No. 502 dated the 23rd day of July, 1932, is hereby revoked.

By Command of His Excellency the Governor in Council.

Nairobi,

This 20th day of January, 1933.

G. BERESFORD STOOKE.

Clerk to the Executive Council.

PROCLAMATION No. 10

THE COLONY AND PROTECTORATE OF KENYA.



THE DANGEROUS DRUGS ORDINANCE, 1932.

PROCLAMATION.

J. BYRNE.

L. S.

BY His Excellency Sir Joseph Aloysius Byrne, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Honourable Order of the Bath, having the Honorary Rank of Brigadier-General in His Majesty's Army, Governor and Commander-in-Chief of the Colony and Protectorate of Kenya.

IN EXERCISE of the powers conferred upon me by section 1 of the Dangerous Drugs Ordinance, 1932, I do hereby appoint the first day of February, 1933, as the date on which the said Ordinance shall come into operation.

GOD SAVE THE KING.

Given under my hand and the Public Seal of the Colony at Nairobi this 27th day of January, 1932.

By Command of His Excellency the Governor.

H. M.-M. MOORE, Colonial Secretary.

PROCLAMATION No. 99

COLONY AND PROTECTORATE OF KENYA.



THE LEVY ON OFFICIAL SALARIES ORDINANCE, 1931.

PROCLAMATION.

J. BYRNE.

L. S.

BY His Excellency Sir Joseph Aloysius Byrne, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Honourable Order of the Bath, having the Honorary rank of Brigadier-General in His Majesty's Army, Governor and Commander-in-Chief of the Colony and Protectorate of Kenya.

IN EXERCISE of the powers conferred upon me by section 9 of the Levy on Official Salaries Ordinance, 1931, I do hereby, by this Proclamation, with the approval of the Legislative Council and of the Secretary of State, declare that the Levy on Official Salaries Ordinance, 1931, shall remain in force until the 31st day of December, 1933.

GOD SAVE THE KING.

Given under my hand and the Public Seal of the Colony at Nairobi, this 23rd day of December, 1932.

By Command of His Excellency the Governor.

JUXON BARTON, for Colonial Secretary.

Approved by resolution of the Legislative Council this 17th day of December, 1932.

G. BERESFORD STOOKE, Clerk to Legislative Council.

PROCLAMATION No. 100

COLONY AND PROTECTORATE OF KENYA.

THE LEVY ON SALARIES (TRANSPORT SERVICES)
ORDINANCE, 1931.

PROCLAMATION.

J. BYRNE.

L. S.

BY His Excellency Sir Joseph Aloysius Byrne, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Honourable Order of the Bath, having the honorary rank of Brigadier-General in His Majesty's Army, Governor and Commander-in-Chief of the Colony and Protectorate of Kenya.

IN EXERCISE of the powers conferred upon me by section 6 of the Levy on Salaries (Transport Services) Ordinance, 1931, I do hereby by this Proclamation, with the approval of the Legislative Council and of the Secretary of State, declare that the Levy on Salaries (Transport Services) Ordinance, 1931, shall remain in force until the 31st day of December, 1933.

GOD SAVE THE KING.

Given under my hand and the Public Seal of the Colony at Nairobi, this 23rd day of December, 1932.

JUXON BARTON,

for Colonial Secretary.

Approved by resolution of the Legislative Council this 17th day of December, 1932.

G. BERESFORD STOOKE,

Clerk to Legislative Council.

GOVERNMENT NOTICE No. 820

THE CUSTOMS TARIFF (AMENDMENT)
ORDINANCE, 1932.

NOTICE.

DATE OF COMING INTO OPERATION.

IN EXERCISE of the powers conferred upon him by sub-section (2) of section 2 of the Customs Tariff (Amendment) Ordinance, 1932, His Excellency the Governor has been pleased to appoint the first day of January, 1933, as the date on which section 4 of the said Ordinance shall come into operation.

By Command of His Excellency the Governor.

Nairobi.

This 31st day of December, 1932.

C. W. HAYES-SADLER,

for Colonial Secretary.

GOVERNMENT NOTICE No. 821

THE LEVY ON OFFICIAL SALARIES
ORDINANCE, 1931.

ORDER.

IN EXERCISE of the powers conferred upon him by section 4 of the Levy on Official Salaries Ordinance, 1931, and subject to the provisions of section 8 of the said Ordinance, His Excellency the Governor in Council has been pleased to impose a levy on the chargeable salary of—

- (1) Every officer, other than an officer or soldier of the King's African Rifles, in the public service at the following rates:—
 - (a) Where the chargeable salary of an officer does not exceed one thousand pounds per annum 6 per centum of the chargeable salary.

PROCLAMATION No. 102

COLONY AND PROTECTORATE OF KENYA

THE GAME ORDINANCE
PROCLAMATION.

J. BYRNE.

L.S.

BY Sir Joseph Augustus Byrne, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Honourable Order of the Bath, having the honorary rank of Brigadier-General in His Majesty's Army, Governor and Commander-in-Chief of the Colony and Protectorate of Kenya, in Executive Council.

IN EXERCISE of the powers conferred upon me by section 7 of the Game Ordinance (Chapter 21) of the Revised Edition, I do hereby in Executive Council proclaim that the Third Schedule of the aforesaid Ordinance be amended by the addition of the following in Part A thereof—

- " 42. Leopard unlimited"
and the following in Part B thereof—
" 34. Leopard unlimited"

Proclamation No. 120 of the 15th day of December, 1931, is amended accordingly.

GOD SAVE THE KING.

Given under my hand and the Public Seal of the Colony at Nairobi this 31st day of December, 1932.

By Command of His Excellency the Governor in Council.

G. BERESFORD STOOKE,
Clerk to the Executive Council.

(b) Where the chargeable salary of an officer exceeds one thousand pounds per annum

6 per centum on the first one thousand pounds of the chargeable salary and 10 per centum of the chargeable salary in excess of one thousand pounds.

(2) Every officer and soldier of the King's African Rifles in the public service at the following rates—

(a) Where the chargeable salary of an officer does not exceed one thousand pounds per annum

5 per centum of the chargeable salary.

(b) Where the chargeable salary of an officer exceeds one thousand pounds per annum

5 per centum on the first one thousand pounds of the chargeable salary and 7 1/2 per centum of the chargeable salary in excess of one thousand pounds.

This levy shall come into force in respect of chargeable salary due for services rendered after the thirty-first day of December, 1932, and on the coming into force of this levy the Orders of His Excellency the Governor in Council made on the 29th day of January, 1932 (Government Notice No. 87) and the 8th day of July, 1932 (Government Notice No. 468) shall be revoked.

By Command of His Excellency the Governor in Council.

Nairobi.

This 30th day of December, 1932.

G. BERESFORD STOOKE,
Clerk to the Executive Council.

Seen by J. Houston also received

20 / 3

P/253/6.

wait

RE D
6 FEB 1933
COL LOE

The Tropical African Clerical Section,
COLONIAL OFFICE.

24.1.33.

As arranged over the telephone, we attach
for your information a copy of a letter from the
Administration of the Kenya and Uganda Railways and
Harbours regarding a revision in the rates of levy
as from the 1st January 1933.

Necessary action has already been taken
by us in the matter.

Shelton

Pay Department,
CROWN AGENTS,
24th Feb., 1933.

KENYA AND UGANDA RAILWAYS AND HARBOURS,
CHIEF ACCOUNTANT'S OFFICE,
NAIROBI.

24th January, 1933.

RECD. C.A. 6.2.33.

No. E.1.

BY AIR MAIL.

The Crown Agents
for the Colonies.

Gentlemen,

Re Levy on Salaries of Transport
Servants.

With further reference to this office letter
No.E.1. dated 4th instant, it has now been ordered that
the following revised rates in respect of levy on salaries
will be imposed with effect from 1st January 1933.

- | | |
|---|--|
| (1) Where the chargeable salary of a servant does not exceed £1,000 per annum. | 5% of the chargeable salary. |
| (2) Where the chargeable salary of a servant exceeds £1,000 per annum. | 5% on the first £1,000 of chargeable salary and 7½% of the chargeable salary in excess of £1,000 |

I shall be glad if you will please arrange to effect recoveries on account of levy from the staff of the Kenya and Uganda Railways and Harbours, accordingly.

Yours faithfully,

(Sgd.) A. E. MAYNE
Chief Accountant.



22
L

KENYA.

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

No. 12.

RECEIVED
- 4 FEB 1933
COL. OFFICE

7th January, 1933.

Answer (2)

Ordinance
Legal Report.

Sir,

I have the honour to transmit two authenticated and twelve printed copies of an Ordinance entitled "the Levy on Official Salaries (Amendment) Ordinance, 1932", together with a Legal Report by the Attorney General.

2. This Ordinance passed its third reading in the Legislative Council on the 17th December and was assented to in His Majesty's name on the 30th December, 1932.

I have the honour to be,

Sir,

Your most obedient, humble servant,

BRIGADIER-GENERAL,
GOVERNOR.

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

LEGAL REPORT.

THE LEVY ON OFFICIAL SALARIES (AMENDMENT) BILL, 1932.

In consequence of a resolution passed at the Governors' Conference held in April, 1932, the Secretary of State has agreed that the levy on salaries of the staffs of common services should be paid in full at the appropriate rate in force in the dependency in which an officer is stationed, but that the proceeds of such levy should be apportioned between the Governments contributing to the salaries of such officers in proportion to the amounts of such contributions.

2. This Bill gives effect to the above arrangement, at the same time providing that the East African Agricultural Research Station at Amani, the Governors' Conference Establishment and the Joint East African Meteorological Service shall not be included in the scope of the Bill, but that the proceeds of the levy on the salary of any officer of any of these Services shall be paid to and form part of each particular Service.

In my opinion, His Excellency the Governor may properly assent to this Bill in the name and on behalf of His Majesty,

T. D. H. Munn

SOLICITOR GENERAL.
for ATTORNEY GENERAL.

Nairobi,

19th December, 1932.

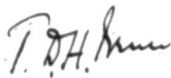
LEGAL REPORT.

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In my opinion, His Excellency the Governor may properly assent to this Bill in the name and on behalf of His Majesty.



SOLICITOR GENERAL,
for ATTORNEY GENERAL.

Nairobi,

19th December, 1932.

No. XXVII.

1932



Colony and Protectorate of Kenya.

IN THE TWENTY-THIRD YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE V.

JOSEPH ALOYSIUS BYRNE, K.C.M.G., K.B.E., C.B.,
Governor.

Assented to in His Majesty's
name this 29 day of December, 1932.

J. BYRNE.

Governor.

AN ORDINANCE TO AMEND THE LEVY ON
OFFICIAL SALARIES ORDINANCE, 1931

No. XXVII of 1932

An Ordinance to Amend the Levy on Official Salaries Ordinance, 1931.

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 Levy on Official Salaries (Amendment) Ordinance, 1932," and shall be read as one with the Levy on Official Salaries Ordinance, 1931, hereinafter referred to as "the Principal Ordinance."

Short title.
No. 57 of 1931.

2. Section 2 of the Principal Ordinance is hereby amended by deleting from the definition of "salary" the words "whether such officer is in the Colony or on leave in or from the Colony."

Amendment of section 2 of the Principal Ordinance.

3. Section 4 of the Principal Ordinance is hereby amended by inserting after the word "levy" in the fourth line of the first sub-section of the section the words "either wholly or partially."

Amendment of section 4 of the Principal Ordinance.

4. (1) It shall be lawful for the Governor to pay from the revenue of the Colony to the Government of the Uganda Protectorate or to the Government of Tanganyika Territory such proportion of the levy imposed on the salary of an officer of a common service as the amount of the contribution from such Government in respect of such salary bears to the total of such salary.

Governor may refund levy on officers of common service.

(2) For the purposes of this section "common service" means a service which is common to the Colony and to either or both of the dependencies mentioned in the first sub-section of this section, and part of the cost of which to the Colony is reimbursed by such other dependency but does not include the East African Agricultural Research Station at Amani, the Governors' Conference Establishment or the Joint East African Meteorological Service.

Definition of "common service."

(3) The proceeds of the levy on the salary of any officer of the East African Agricultural Research Station at Amani or of the Governors' Conference Establishment or of the Joint East African Meteorological Service shall notwithstanding anything contained in section 7 of the Principal Ordinance be paid to and form part of the revenue of the said Research Station, Establishment or Service, as the case may be.

Passed in the Legislative Council the seventeenth day December, in the year of Our Lord one thousand nine hundred and thirty-two.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council and is presented for authentication and assent as a true and correct copy of the said Bill.

G. BERESFORD STOOKE

Acting Clerk of the Legislative Council.