

1933

Kenya

No. 3069.

SUBJECT

C0533/432

The Customs Tariff Ordinance.

Previous

18035/32.

Subsequent

23246/34.

Copy sent to
11/25/33
1 authenticated & 10
printed copies of Ordinance
& library.

6. A/Commissioner of Customs 1109 3rd July 33.
Trans. & authenticated & 12 printed copies of the
Customs tariff (Amdt.) Ordinance No 24 of 1933.

Subject to any orders by
G.D. & the legal adviser,
the Ordinance may be sanctioned
G.D.

C. J. F. [Signature]
27-7-33

(T.T. Amdt. Ordinance)
below:

529/33
1.1

The Commissioner

You will remember that there was
a copy with the B/T. (on General file
now in circ?) as regards the details of the
legislation. We may assume that
B/T. have said nothing which calls for
amendment - even comment, at this
stage.

[Signature]
28

The Commissioner

(Rev. The Secy)

I sent a draft in [unclear]
with B/T comments. You may
want to look up your sanction
& then refer to this draft or
to incorporate the two.

Copy of the draft should be to

Send the
draft to
Back
for this
B/T - on General file. J. Carr
27-7-33

Received with 1109 19/7/33 when [unclear]

3

[Signature]

See n 528/33 TT.

[Signature]
28/7/33

held
with
12-7-33

7 To Kenya 572 (6 amended) 2 AUG 1933

8 To T.T. 558 (1 on 528/33 comm) 2 AUG 1933
(orig sent on 528/33)

Liby (Recd)
to note 7

9 E.A.T. 10 recd. 2 Aug 33.
Notice received from Kenya regarding trade goods imported
by hand boat.

? Liby. C. J. F. [Signature]
1/8/33

[Signature]
11/8/33

[Signature]

RECEIVED

2 AUG 1935

49
PMP

HIS MAJESTY'S EASTERN AFRICAN DEPENDENCIES

TRADE & INFORMATION OFFICE has received the following
Notice from Kenya Colony :-

TRADE GOODS IMPORTED BY PARCELS POST.

Attention is directed to the fact that delay in clearance through the Customs will be avoided if suppliers of the following goods rated under item 38a of the Customs Tariff Ordinance, 1930, as amended by the Customs Tariff (Amendment) Ordinance, 1935, viz: cotton blankets, boots and shoes of rubber and canvas, cardigans, jerseys, pullovers, shirts, singlets, socks, and stockings furnish quantity details in terms of the number of garments or the number of pairs on the post parcel "declaration of contents" forms and if suppliers of piece goods rated under item 40 of the Customs Tariff Ordinance, 1930, as amended by the Customs Tariff (Amendment) Ordinance, 1935, viz: cotton grey unbleached, bleached, coloured and dyed, scarves, shukas, chadders, khanges and the like, admixtures of cotton, artificial silk and admixtures thereof will note the post parcel "contents declaration" forms with square yardage details.

5
8

copy

TANGANYIKA TERRITORY.

No. 588

DOWNING STREET.

2 August, 1933.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 640 of the 30th June and to inform you that the power of disallowance will not be exercised in respect of Ordinance No. 13 of 1933 entitled "An Ordinance to amend the Customs Tariff Ordinance, 1930".

2. I am addressing you separately in regard to certain details of these amendments.

I have the honour to be

Sir,

Your most obedient
humble servant,

(Sgd.) P. CUNLIFFE-LISTER.

THE OFFICER ADMINISTERING
THE GOVERNMENT OF
THE TANGANYIKA TERRITORY.

G
3

3069/33

Kenya

6 7

Receipt

has grown with 24/7/33

has been 20/8

| |
|----------|
| C. D. |
| R 29 JUL |
| D / 14 |

Kenya

No 572

045

Downing Street,

2 August 1933

Sir,

I have the honour to acknowledge the receipt of your despatch
 No. 409 of the 30 July and to inform
 you that His Majesty will not be advised to exercise his power of disallowance
 in respect of Ordinance No. 24 of 1933

of the Legislature of Kenya, entitled
 "An Ordinance to amend the Customs Tariff
 Ordinance, 1930"

I am addressing you separately
 in regard to certain details of these
 amendments.

I have the honour to be,

Sir,

Your most obedient, humble servant,

(Sgd.) P. CUNLIFFE-LISTER.

Friction action
 Act of the order
 should be to
 Revenue to
 Sent the
 sent
 forward
 for this

The Officer Administering
 the Government of

C.D. extra copy
 12-18/33

76

KENYA.

No. 409



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

RECEIVED
24 JUL 1933
G. O. REGY

5th JULY, 1933.

Sir,

I have the honour to forward herewith two authenticated and twelve printed copies of an Ordinance entitled "the Customs Tariff (Amendment) Ordinance, 1933", together with a Legal Report by the Attorney General.

Ordinance.

Legal Report.

2. This Ordinance passed its third reading in the Legislative Council on the 26th June, 1933, and I assented to it in His Majesty's name on the same date.

I have the honour to be,

Sir,

Your most obedient, humble servant,

W. Wilson

ACTING 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.1.

Amend (7)

No. XXIV.

8
1933



Colony and Protectorate of Kenya.

IN THE TWENTY-FOURTH YEAR OF THE REIGN OF
HIS MAJESTY KING GEORGE V.

HENRY MONCK-MASON MOORE, C.M.G.,
Acting Governor.

Assented to in His Majesty's
name this 26th day of June, 1933.

H. M.-M. MOORE.

Acting Governor.

AN ORDINANCE TO AMEND THE CUSTOMS
TARIFF ORDINANCE, 1930

ORDINANCE No. XXIV of 1933

An Ordinance to Amend the Customs Tariff Ordinance, 1930.

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 Customs Tariff (Amendment) Ordinance, 1933," and shall be read as one with the Customs Tariff Ordinance, 1930, hereinafter referred to as "the Principal Ordinance".

2. The Schedule to the Principal Ordinance is hereby amended by the deletion of items 14, 37, 38, 40, 49 (e), 49 (f), 59, 66 (a), 72, 104, 118, and by the addition in their respective numerical positions of the following:—

No. 1 of 1933.
Amendment of the Schedule to the Principal Ordinance.

| Item | Article | Duty |
|-------|--|--|
| 14 | Ghee, and ghee substitutes | 30 cents per pound (plus suspended duty of 15 cents per pound). |
| 37 | Battery cloth and bairn, bolting cloth, gauze, matting, sieving and screening for use in connexion with machinery, brattice-cloth, filter-cloth, filter pulp and mill silk | Free. |
| 38 | Clothing, apparel, and blankets, n.e.c., second-hand (reconditioned or otherwise) for sale | <i>Ad valorem</i> 30 per cent. |
| 26A | Apparel and blankets— | |
| | (i) Blankets, cotton | 25 cents each or 20 per cent <i>ad valorem</i> , whichever is higher. |
| | (ii) Boots and shoes made principally of rubber and canvas | 40 cents per pair or 20 per cent <i>ad valorem</i> , whichever is higher. |
| | (iii) Cardigans, jerseys and pullovers | 30 cents each or 20 per cent <i>ad valorem</i> , whichever is higher. |
| | (iv) Shirts | 30 cents each or 20 per cent <i>ad valorem</i> , whichever is higher. |
| | (v) Singlets | 20 cents each or 20 per cent <i>ad valorem</i> , whichever is higher. |
| | (vi) Socks and stockings | 15 cents per pair or 20 per cent <i>ad valorem</i> , whichever is higher. |
| 40 | Piece goods— | |
| | (a) Cotton, grey and unbleached, including cloths having a drawn thread effect by the omission of warp threads or with the addition of coloured yarn to form a heading or with coloured yarn in the selvedge | 9 cents per square yard or 20 per cent <i>ad valorem</i> , whichever is higher. |
| | (b) Other (including saris, shukas, chaddars, khangas and the like) made of cotton or admixtures of cotton and other material not elsewhere specified | 10 cents per square yard or 20 per cent <i>ad valorem</i> , whichever is higher. |
| | (c) Made of artificial silk or admixtures of artificial silk and other material | 15 cents per square yard or 20 per cent <i>ad valorem</i> , whichever is higher. |
| 49(e) | Bicycles and tricycles, n.e.c. | Sh. 5 each, or 20 per cent <i>ad valorem</i> , whichever is higher. |

| Item | Article | Duty |
|-------|--|--|
| 49(f) | Parts and accessories of bicycles and tricycles (not including rubber tyres or tubes when imported separately) | <i>Ad valorem</i> 20 per cent. |
| 49(g) | Rickshaws and carriages, not including baby carriages, and parts and accessories thereof (not including rubber tyres or tubes when imported separately) | <i>Ad valorem</i> 20 per cent. |
| 49(A) | Other wheeled vehicles, <i>s.e.c.</i> , and parts and accessories thereof (not including rubber tyres and tubes imported separately) | <i>Ad valorem</i> 15 per cent. |
| 59 | Metal signs or name plates bearing any commercial advertisement or the name and qualifications or professional attainments of the importer, metal licence plates and badges imported by or on behalf of a municipality or other public body | Free. |
| 66(a) | Pipes, piping, tubes and fittings (metal) (a) For gas, steam, drainage, water supply, sewerage, irrigation, or in manufacturing or industrial plants, not including down-pipes or guttering, but including meters, elbows, tees and taps not capable of use as fittings for domestic conveniences, grids, manhole covers and fittings | Free. |
| 72 | Telegraphic and telephonic materials, equipment and instruments imported for use by a public utility company for the construction, working and maintenance of telegraph or telephone lines, or for the transmission or reception of wireless telegraphy or telephony, but not including stationery, or electric batteries suitable for use in motor vehicles | Free. |
| 104 | Soap, soap powders and extracts | Sh. 5 per 100 lb. or 20 per cent <i>ad valorem</i> , whichever is greater. |
| 118 | Sulphate of copper, arsenate and arsenite of copper, arsenate of lead, cyanogen, naphthalene, animal dips, calcium carbide, whale oil soap and fish oil soap, insect sprays and other substances for the prevention or destruction of pests and for the prevention and cure of diseases in animals, plants and trees | Free. |
| 170A | Umbrellas and parasols, not including paper parasols | 40 cents each or 20 per cent <i>ad valorem</i> , whichever is higher. |

Passed in the Legislative Council this twenty-sixth day of June, in the year of Our Lord one thousand nine hundred and thirty-three.

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.

H. E. BADER

Acting Clerk of the Legislative Council.

LEGAL REPORT.

THE CUSTOMS TARIFF (AMENDMENT) BILL, 1933.

This Bill makes certain amendments to the Schedule to the Customs Tariff Ordinance, 1930, and the details have been referred to and approved by the Secretary of State.

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

[Signature]
ATTORNEY GENERAL.

Nairobi,

26th June, 1933.

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GENERAL NOTICE No. 406

ASSESSMENT OF DUTY ON GOODS
IMPORTED BY AIR.

NOTICE.

IT is hereby notified in accordance with sections 3/4 of the Kenya Customs Tariff (Amendment) Ordinance, dated 30-12-32, and until further notice one-fourth of—

- (a) air freight charges for goods carried as cargo;
- (b) air postage charges for goods carried as post parcels.

will be taken for the purpose of assessing duty in the manner established by section 4 of the Customs Tariff Ordinance, 1930, subject to the proviso that in the case of (b) the amount of postal charges for duty assessment must not be reduced below Sh. 2/75.

2. This procedure will operate with retrospective effect as from 30-6-32 inclusive and any necessary adjustment in respect of past importations may be arranged on application to the Commissioner of Customs, Kenya and Uganda, Custom House, Mombasa.

Custom House,
Mombasa,
20th March, 1933.

E. G. BALE,
*for Commissioner of Customs,
Kenya and Uganda.*

Duplicate regd. on 1108/14/33. Sent. on 11/2/33.

12



KENYA.

GOVERNMENT HOUSE,

NAIROBI.

KENYA.

No. 4

RECEIVED
4 FEB 1933
COL. OFFICE

JANUARY, 1933.

Sir,

Ordinance.

I have the honour to transmit herewith two authenticated copies of "An Ordinance to Amend the Customs Tariff Ordinance, 1930", No. XXXIII of 1932, together with two copies of the Legal Report by the Attorney General.

Legal Report.

Copy of Ordinance & Legal Report to be sent to the Secretary of State for the Colonies

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

The 1st January, 1933, has been appointed as the date on which Section 2 of the Ordinance came into operation.

3. Twelve printed copies of the Ordinance are also enclosed.

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.1.

LEGAL REPORT

THE CUSTOMS TARIFF (AMENDMENT) BILL,
1932.

In order to permit of accession to the Anglo-Greek Commercial Treaty, 1926, which secures most favoured nation treatment to goods originating in territories adhering to the Treaty and imported into Greece, it is necessary to impose a rate of duty not exceeding Sh.2/- per cwt. on currants imported from Greece, and section 2 of this Bill achieves this object. As differential treatment in the matter of countries of origin is not permissible under the terms of the Congo Basin Treaties, the same rate of duty must be charged on all imported currants, irrespective of the country of origin.

2. The reason for the enactment of section 3 of this Bill is that, when the Customs Tariff Ordinance, 1930, was enacted, the conveyance of dutiable goods in any quantity by air was not contemplated. Representations have been made to the effect that the very considerable freight charges by this route, on which duty is now paid, do not correspondingly increase the intrinsic value of the goods in question, nor is such a charge taken into consideration in the case of goods on which duty is calculated at a specific rate.

3. It is proposed, therefore, to give authority to the Commissioner of Customs, in respect of goods conveyed by air, to reduce the amount of the freight charges to be added to the value for the purposes of assessment of duty to a figure/

figure not less than one-fourth of the freight charges actually payable on such goods.

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

Nairobi.

19th December, 1932.

James
ATTORNEY GENERAL.

THE CUSTOMS TARIFF (AMENDMENT) BILL,
1932.

In order to permit of accession to the Anglo-Greek Commercial Treaty, 1926, which secures most favoured nation treatment to goods originating in territories adhering to the Treaty and imported into Greece, it is necessary to impose a rate of duty not exceeding 3h.2/- per cent. on currents imported from Greece, and section 2 of this Bill achieves this object. As differential treatment in the matter of countries of origin is not permissible under the terms of the Congo Basin Treaty, the same rate of duty must be charged on all imported currents, irrespective of the country of origin.

2. The reason for the enactment of section 3 of this Bill is that, when the Customs Tariff Ordinance, 1930, was enacted, the conveyance of dutiable goods in any quantity by air was not contemplated. Representations have been made to the effect that the very considerable freight charges by this route, on which duty is now paid, do not correspondingly increase the intrinsic value of the goods in question, nor is such a charge taken into consideration in the case of goods on which duty is calculated at a specific rate.

3. It is proposed, therefore, to give authority to the Commissioner of Customs, in respect of goods conveyed by air, to reduce the amount of the freight charges to be added to the value for the purposes of assessment of duty to a

figure/

16
figure not less than one-fourth of the freight charges
actually payable on such goods.

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

Nairobi,

19th December, 1932.

(Sd.) A. D. A. MacGregor

ATTORNEY GENERAL.

No. XXXIII.

17
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 30 day of December, 1932

J. BYRNE

Governor.

AN ORDINANCE TO AMEND THE CUSTOMS
TARIFF ORDINANCE, 1930

No. XXXIII of 1932

An Ordinance to Amend the Customs Tariff Ordinance, 1930.

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 Customs Tariff (Amendment) Ordinance, 1932," and shall be read as one with the Customs Tariff Ordinance, 1930, hereinafter called "the Principal Ordinance."

Short title.
No. 1 of 1930.

2. (1) Class I of the Schedule to the Principal Ordinance is hereby amended by the deletion of item 13 (b) occurring therein, and the substitution of the following in lieu thereof:—

Amendment of Class I of Schedule to the Principal Ordinance.

| Item | Article | Duty |
|------|------------------------------------|----------------------|
| 12 | (g) Currants, dried, without sugar | per 100 lb. Sh. 1/75 |

(2) This section shall come into operation on such day as the Governor may by notice in the Gazette appoint.

Commencement.

3. Notwithstanding anything contained in section 4 of the Principal Ordinance, the Commissioner shall be empowered, in respect of goods conveyed by air, to reduce the amount of the freight charges to be added to the value for purposes of assessment of duty to a figure not less than one-fourth of the freight charges actually payable on such goods.

Reduction of freight charges for goods conveyed by air.

4. Section 3 of this Ordinance shall be deemed to have come into operation on the 30th day of June, 1932, and the Treasurer is hereby authorized to pay out of the general revenue of the Colony such sums as may be found to be payable by way of refunds owing to the retrospective effect of section 3 of this Ordinance.

Authority to refund excess duty.

No. XXXIII

Customs Tariff

1933

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

This printed impression has been carefully compared by him 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 STOKER

Acting Clerk of the Legislative Council