

1930

Kenya

No. 16110

C0533/398

SUBJECT

Governors Powers with regard to  
Manufacture of opium

Previous

10188/27

Subsequent

1. Gov. Grigg. 129. 6th. March 30.

Refers to Colonial Regulation No. 287 and asks whether the S of S would empower the Governor to authorize without prior sanction extraordinary expenditure even in excess of £2,500, which is the amount at present approved.

The Gov's proposal seems quite reasonable, but I think this is primarily a matter for you nowadays? - a q. can be D Ca

*[Signature]*

[See minute to 1897]

Director of C. Audit

May we have your observations first please

*[Signature]*

Mr. Smith

There is of course a risk in acceding to the Governor's proposal. Circumstances may change from one year to another and it may happen that the Legislative Council and the Secretary of State may not wish to approve a revote. I do not think this is a likely contingency but it is there and, consequently, the proposal now made is a fairly wide extension of the powers given to the Governor under Colonial Regulation 282. On the other hand Kenya is a large and important Colony and in certain other

cases

0.9

11/20/30

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Richard B. ...

Mr. ...

Mr. ...

Mr. ...

Mr. ...

Mr. ...

Mr. ...

Secretary of State

RECEIVED  
R. ST. MAY  
D. ...

DRAFT.

Kenya  
Am 433

Sir,

I have the honor to acknowledge the receipt of the memorandum regarding the power of the Gov. to authorize expenditure on ... which was not included in the Estimates

2. I approve of your proposal that in the case of specific items of expenditure which have been fully authorized in the previous year & for which the unspent balance of money remaining at the end of the financial year the Gov. should be empowered to authorize the necessary

OCA ...

within that limit  
expend- / without refer to the  
shelter a not fruit have  
been provided for the purpose  
in the Estimate for the year

This approval is given  
on the understanding that if  
when the expend- in question  
exceeds £2500 <sup>the sanction</sup> ~~the sanction~~ <sup>will be</sup>  
covering sanction <sup>is</sup> sought  
separately & not merely by  
inclusion in the Granting return  
of uniform expend-

for main  
This is  
the  
intention

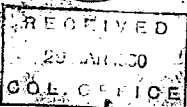
(Signed) PASSFIELD.

KENYA.

No. 129



GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.



6 MARCH, 1930.

My Lord,

I have the honour to refer to Colonial Regulation No. 287, which lays down that the authority for expenditure lapses with the close of the financial year, and to inform Your Lordship that strict observation of the provisions of this regulation inevitably leads to difficulties that it is suggested might be avoided, should Your Lordship feel disposed to grant the concession sought in this despatch.

2. The Estimates for the Colony are now prepared in a manner which shows as closely as possible at the time of estimation the amount of money which will be required by way of revote on works which have been sanctioned but not completed in the previous year. To the extent to which provision is made for revotes in the Estimates for the ensuing year no difficulty arises but it is not possible to ensure in all cases that expenditure which has been authorised is fully incurred before the end of the previous financial year, although at the time the Estimates were prepared it was anticipated that the service would be completed before the end of the year. In such cases the specific item concerned has been approved by the Legislature and by Your Lordship; it has been thought probable that the necessary money would have been paid out by the end of the year; and unforeseen circumstances/

THE RIGHT HONOURABLE LORD PASSFIELD, P.C.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,  
LONDON S.W. 1.

circumstances alone have delayed payments.

3. I shall be glad to know whether, as a special measure to meet such cases, Your Lordship would feel disposed to empower the Governor to authorise without prior sanction to the Secretary of State extraordinary expenditure of this nature, even if it is in excess of £2,500 which is the amount at present approved in the terms of Mr. Amery's despatch No. 590 of the 9th July, 1927.

(No 2 - 10/88 / 27)

In placing the proposal before Your Lordship I have in mind a number of items which were approved during the year 1929 and in respect of which it was not in all cases possible to be sure that the full expenditure authorised would be incurred before the end of the year :-

(i) On the 4th January, 1930, I received an application for a sum of £3,825 to complete the Locust Campaign on lines which had already received Your Lordship's sanction, the intention being that the campaign was to cease by the 20th January, by which time the infestation of hoppers should have passed. The amount involved exceeds £2,500 and I was aware that, strictly speaking, Your Lordship's prior sanction was required for the expenditure in 1930. As, however, the service had already received Your Lordship's approval in 1929, I considered that I was justified in signing the warrant in order to enable the work to proceed without interruption.

(ii) Other cases arise from time to time in which comparatively large single payments are authorised very shortly before the end of the year (for instance, £7,000 authorised in Second Supplementary Estimates/

1686  
27

Estimates, 1929, for the purchase of land at  
Kwapa Creek) and in which it may be very  
difficult to arrange that the money be paid  
over before the authority lapses.

(iii) Non-recurrent items of work on roads and bridges  
under the Head Public Works Extraordinary which  
have been approved during the previous year but  
are not completed by the end of the year require  
funds from the sum set aside for that purpose  
in Estimates, no part of which in so far as the  
Estimates for 1930 are concerned, is shown as  
money to be revoted.

4. In such cases the strict application of the  
rule would cause inconvenience and possibly loss. In  
the case of an unfinished public work, it would entail  
the suspension of activities on the 31st December,  
possibly involving the dispersion of labour.

5. I therefore recommend for Your Lordship's  
consideration that in the case of specific items of  
work which have been fully authorised in the previous  
year and for which the unspent balance of money pre-  
viously voted is required to continue the work after  
the close of the financial year the Governor be em-  
powered to authorise the necessary expenditure without  
prior reference to the Secretary of State whether or  
not funds for the purpose have been provided in the  
Estimates for the year.

I have the honour to be,

My Lord,

Your Lordship's most obedient, humble servant,

*Edwards Gigg*  
GOVERNOR.

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