

X 1930

X 1930

16363

KENYA

CO 533/404

16363

REVISION OF RECORDS SECTION

This File should be returned to Queen Street when no longer required.

monies deposited
with Registrar General.

Previous

15507/29

Subsequent

XCH	27/11
Mr Eastwood	1/12
Mr	4/12
XCH	9/12
Room 3 p.	
SCA	17/12
X-PAfr	14/12
Mr Eastwood	
Mr Allen	6/12
Room 1	

Considers funds in custody of Public Trustee should be regarded as liability of Government. Considers procedure set out in section 1 of Chapter VIII of Financial Orders by the accept

no. 176

The Govt. Dep. of 29th Mar 1926

Feb 7 1926 - no. 2473/26 - call

Flag A

at some length with the question of accounting etc for deposits of Sectors in the Supreme Court.

In the last half of the final para. however the Govt. asked to be informed whether the procedure set out in ~~chapter~~

Flag B

section 1 of chapter VIII of the Financial Orders which were then in draft (Part II of these Orders to which this chapter belongs had since been approved - no. 2 on 10265/27 Kenya - & a copy of ~~the~~ it in its published form appears in 15348/28) met with the S. of S.'s approval.

Flag C

This was an entirely unconnected matter & in reply to the Dep. the S/S promised a further communcⁿ in regard to it. (para. 10 of Dep. of 1. 11. 2. 29.)

Flag D

The Section in question deals
with the control of ~~unwanted~~
deposited with the Registrar

General

write as in 17/12/30

Johnsons

26. 12. 30

30 Allen

4/12

atance

No. - Gov 962

8 DEC 1930

Seen

A J Harding

17/12/30

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17/12/30

Government, and ¹⁶As such, should be subject
to the general control of the Treasury,
and should be recorded in the balance
sheet of the Colony. The degree of
control which it is desirable that the
Treasurer should exercise, must depend
on the organisation of the Registrar-
General's office.

3. I note that the section in
question follows No. 8 of the rules under
the Public Trustees Ordinance. ~~It meets~~
~~with my approval.~~ I wish, however, ^{in approving it} to
make it clear that the responsibility
of the Treasurer as set out in the previous
paragraph should be clearly recognised.

I have, &c

3. Provides this responsibility
of the Treasurer is recognised
I am prepared to approve
Section 1 of Chapter VIII of
his Financial Orders, which
follows
Essentially Rule 8 under
his Public Trustees Ordinance
I have &c

(Signed) PASSFIELD

Mr. Parkinson,

2275/106
Referring to the latter part of paragraph 7 of Sir E. Grigg's Despatch No. 176 of the 9th of February, 1926, and to Mr. Amery's reply thereto in the last paragraph of his despatch No. 108, of the 15th of February, 1929, (both Despatches in Kenya X. 2473/26) it will be seen that a decision has not yet been reached as to whether the procedure set out in Section I of Chapter VIII of the Financial Orders (in Kenya X. 15398/28) may be approved.

Section 25 of the Public Trustee's Ordinance clearly states the Government's liability for the acts of the Public Trustee, and it appears to me, therefore, that funds in the custody of the Public Trustee should be regarded as being a liability of the Government and, as such, should be subject to the general control of the Treasury and should be recorded in the Balance Sheet of the Colony.

The degree of control which it is desirable that the Treasurer should exercise will depend on the organisation of the Registrar General's Office.

Provided this responsibility of the Treasurer is recognised I think that the Financial Order, which follows No. 8 of the Rules under the Public Trustee's Ordinance, may be accepted.

A. J. Harding
Director of Colonial Audit.

25-11-30

*Copy attached
LMA
3/12*

5-
END

EXTRACT FROM THE PUBLIC TRUSTEES RULES.

8. - The cash book shall be balanced at the close of every month and shall be laid before the Public Trustee, who shall satisfy himself that the balance is correct, and shall initial the book in token of his having so satisfied himself. A full abstract of same and of all dealings with trust funds shall be sent to the treasurer every month, signed by the Public Trustee.
