

KENYA

19489

145

19489

APR 21 1951

CUSTOMS TARIFF (AGREEMENT) ORDER (NO. 2.)

No. 2 of 1951

Two copies with usual legal report as to objects and reasons.

*for history
to be kept*

*It is odd that the Substantive Law
Advisory Committee, under the a.g. has
the power to make any reference
to the Attorney General's policy
before the Law Commission
of Commerce in 1956 and I think
that the paper sent for a report
was deep in the paper before
the - Disallowance. I see no
objection to the ... in fact
The Treaty ...*

1921

1951

30 Aug 21
1332

20173

The Customs shall have the right
to levy the duty in kind - they
to ask copies for copies in the schedule
of articles as of the Indian Treaty
(p 25 of India's Treaty)

Has the Cpl. with reference
to our letter on 13569 a copy of
the new schedule, saying that
they will be from it that the
rights of the independent, but they
therein is kind has been abolished
And that the value for all
to help in 13569

WMS
26 W 22

WMS
28/4/21
29/4/21

RECEIVED
21 APR 1921
OFFICE

21st March, 1921.

The Acting Colonial Secretary, Colony and
Protectorate of KENYA, presents his compliments to
the Under Secretary of State for the Colonies, and
has the honour to refer to Governor's despatch
No. 248 of the 24th February, 1921, and to request
that the enclosed Objects and Reasons and Comparative
Table be substituted for those enclosed therein in
error, which is regretted.

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THE CUSTOMS TARIFF (AMENDMENT) ORDINANCE No. 2, 1921.STATEMENT OF OBJECTS AND REASONS.

This Ordinance was passed on the representations of the Commissioner of Customs to abolish the payment in kind of customs duties at the option of the importer as this has been found impracticable in application.

It appears that the clause was inserted in consequence of a proviso in the Zanzibar (Great Britain) Treaty of 1839. (Article XI), that the Sultan should have the right of exacting customs duties in kind.

The proviso in the 1839 Ordinance however gave the option to the importer so that its repeal can in no sense be considered an abridgement of treaty rights.

Nairobi,

The 19th day of February, 1921.

ATTORNEY GENERAL.

THE CUSTOMS TARIFF (AMENDMENT) ORDINANCE (NO. 2) 1921.COMPARATIVE TABLE.

Section.	Remarks.
1.	Short title.
2.	Repeal of the proviso to Section 2 of the Customs Tariff Ordinance, 1909.

Nairobi,

The 14th day of February, 1921.

ATTORNEY GENERAL.

THE CUSTOMS TARIFF (AMENDMENT) ORDINANCE (No. 2) 1921.STATEMENT OF OBJECTS AND REASONS.

This Ordinance was passed on the representations of the Commissioner of Customs to abolish the payment in kind of customs duties at the option of the importer as this has been found impracticable in application.

It appears that the clause was inserted in consequence of a proviso in the Sanvibar (Great Britain) Treaty of 1839, (Article XI), that the Sultan should have the right of exacting customs duties in kind.

The proviso in the 1903 Ordinance however gave the option to the importer so that its repeal can in no sense be considered an infringement of treaty rights.

Nairobi,

Ed. H. W. LYELL-CRENT.

ATTORNEY GENERAL.

The 14th day of February, 1921.

THE CUSTOMS TARIFF (AMENDMENT) ORDINANCE (NO. 2) 1921.

COMPARATIVE TABLE.

Section.	Remarks.
1.	Short title.
2.	Repeal of the proviso to Section 2 of the Customs Tariff Ordinance, 1909.

Nairobi.

The 14th day of February, 1921.

ATTORNEY GENERAL.

C C
1948
REC
21 APR 21

GOVERNMENT HOUSE,
NAIROBI.
BRITISH EAST AFRICA.

24 February, 1921.

150

Sir,

I have the honour to forward herewith two authenticated and ten printed copies of The Customs Tariff (Amendment) Ordinance (No.2) of 1921, together with a statement of Objects and Reasons prepared by the Attorney General.

2. I have assented to this Ordinance in the name of His Majesty.

I have the honour to be,

Sir,

Your humble, obedient servant,

Edward Mathias

GOVERNOR.

THE RIGHT HONOURABLE
WINSTON CHURCHILL, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.

*See Revised Table
to 3/2/21*

ENCLOSURE

In Despatch No 244 of L.S. 2 1921

THE CUSTOMS TARIFF AMENDMENT ORDINANCE, 1921.

COMPARATIVE TABLE

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Section.	Remarks.
1.	Short title.
2.	Provides that boxes whole or in sections are exempt from importation duty. This is to allow boxes for packing rubber which are imported whole or in sections to be added to the exceptions enumerated in Clause 28 of Table III of the Principal Ordinance: Exception granted for drugs and medicines and rectified spirit to be used solely in compounding drugs and medicines.

Nairobi.

Ed. V. W. LYELL-GRANT,
ATTORNEY GENERAL.

The 24th day of February, 1921.

THE CUSTOMS TARIFF AMENDMENT ORDINANCE, 1921.
STATEMENT OF OBJECTS AND REASONS.

This Ordinance was passed to allow of the importation of boxes free of duty for the packing of rubber which are imported in sections. The opportunity was taken to exempt drugs and medicines and rectified spirit used for medicinal purposes. The exemption of boxes for packing rubber was made at the request of the Governor of Uganda who pointed out that these articles properly belonged to the class of exemptions in Clause 23 of Table III and ought to be included. The exemption of drugs and medicines and rectified spirit was made on the recommendation of the medical authorities.

Nairobi,

The 26th day of February, 1921.

1948/21 Kenya

20 April 1948

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DRAFT.

~~With reference to the letter~~
~~to the effect that the letter~~

Secretary
and a Chambery Comera from the Dept. of the 30th March,

~~no 133/48~~ regarding ~~customs~~

MINUTE.

- Mr. Glad 20/4/48
- Mr. Bollen 20/4/48
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]
- Mr. [unclear]

~~attention~~ the account of
Custom duties in Kenya, and
I am to be pleased for the
to be a copy of the

An Ordinance which has been

has received from the Governor
of Kenya, from which it will be

seen that the right of the importer, under
the Customs Tariff Act² 1909, to pay
Customs duties in kind has been
abolished.

(Signed) H. J. READ.



RECEIVED
3 MAY 1921
COL OFFICE

43, OXFORD COURT,
& 97, CANNON STREET,
LONDON, E.C. 4.

(Mon) 2nd May, 1921.

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The Under Secretary of State,
Colonial Office,
Downing Street, SW.1.

Dear Sir, I beg to acknowledge the receipt of your letter, received this morning, on the subject of the Customs Tariff Ordinance 1909, of Kenya Colony, together with the enclosure, for which I am much obliged.

I have forwarded a copy of your letter, together with the enclosure, to the Chairman of the East African Section of this Chamber.

Yours faithfully,

Secretary.