

1921-22

(10)

210

KENYA

2924

DATE

29TH NOVEMBER 1921

REC'D

7/11/22

ERNOR
THEY

1669

CIRCULATION :-

SUBJECT

KILINDINI PIER

CUSTOMS DUES ON CONSTRUCTION MATERIALS

Grindle

H. Lambert

H. Read

M. Robertson Smith.

Wood

Churchill

Reports as to Contractors' complaint dues were being charged. Has instructed Commr of Customs to collect duty on such importations by Contractors as are not plant or material used in construction of works and trusts action will be approved.

MINUTES

There is no copy of the contract with the papers but in the first place,

1. Send copy of this document to CA. asking for info as to the contract which led to their etc. & for any items which they may wish to offer.

W.S. 20.1.22

S.P.A.

Copy 10/10/22

Amend. 270. 16 Feb 22 r Copy to Kenya

Subsequent Paper

CA
6/11/22

MINUTES

MINUTES NOT TO BE WRITTEN
ON THIS SIDE

1669.



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

2924

29th November, 1921.

Sir,

With reference to your despatch No.306 of 22nd February, 1921, transmitting a copy of the Kilindini P1 Contract, I have the honour to inform you that the following telegram has been received from the Crown Agents:-

" Kilindini Harbour Works Contractor complains Customs Authorities demanding dues on articles exempt under Contract Clause 32 trust immediate steps will be taken to set matters right "

2. It appears that the Contractors in August last imported two safes and paid the relative Customs duty but preferred a claim for refund based on Article 32 (b) of the Contract. An analogous case occurred during the construction of the Magadi Railway and I have concurred in the opinion of my legal advisers that the exclusion of such articles as office furniture, stationery, safes, motor cars, etc., from the benefits of free entry under the Magadi Contract should operate with equal force under the similarly phrased Kilindini Pier Contract.

3. I have accordingly instructed the Commissioner of Customs to collect Customs duty on such importations by the Contractors as are not plant or material used in the construction of the works; and trust you will approve my action.

I have the honour to be,
Sir,
Your humble, obedient servant,

The Right Honourable
Winston Churchill P.C., M.P.,
Secretary of State for the Colonies,
Downing Street, London, S.W.

Edward W. Mackay
GOVERNOR.

2924/2/22 Kenya.

212

ad



25 January 1922

DRAFT.

own Agents

6110 and

Gentlemen,

MINUTE.

Mr. Seal 25/1/22

Mr. Parkinson

Mr.

Mr. Grindle

Sir E. Lambert

Sir H. Hoak

Sir J. Anderson Smith

Mr. Wood

Mr. Churchill

29 Nov 21

I am etc. to forward to you the
 acc^y copy of a despatch which
 has been received from the Governor
 of Kenya, re regarding a complaint
 by the Contractors for the Kilindini
 Harbour Works,
 that customs dues have been
 demanded in respect of articles
 which were exempt under the
 terms of their contract from payment
 of such dues.

would be glad to be furnished
 2. Mr. Churchill ~~with~~ with

information as to the case, which led
to the sending of your ~~despatch~~
the telegram referred to in Sir Edward
Northey's despatch, and I am
~~I request that you will forward~~
~~him with~~ and also with any
observations which you may wish
to offer upon this matter, which
~~has not hitherto been brought to~~
~~his notice~~

(Signed) C. GRIM