

24
1921-22

KENYA

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REC'D
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FROM
GOVERNOR
NORTHEY

1622

DATE
30TH DECEMBER 1921

OR CIRCULATION:-

SUBJECT

FORMER ENEMY ALIENS RESTRICTION ORDC
NO XII OF 1921

Encloses copies with usual legal report.

- Mr.
- Mr.
- Mr.
- Mr. Grindle
- Sir H. Lambert
- Sir H. Read
- Sir G. Fiddle
- Mr. Wood
- Mr. Chownhill

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Previous Paper

MINUTES

G. 52536/21

W. Christie

20.12.22

*Actual
1921
14/1/22*

*Act. Chabert
Act. Gilm*

Act. Bottomley

no legal share.

A.S.

4/1/22

sanction 21

encl

W.C.S. 6.2.22

Standard 239 8 Feb 22. 873

513

Subsequent Paper

*505
5053/21*

*see B
30/1/22*

KENYA.
No. 1822.GOVERNMENT HOUSE,
NAIROBI,
KENYA.

30th December, 1921.

REC'D
REC'D 30

Sir,

I have the honour to transmit herewith two authenticated and ten printed copies of the Former Enemy Aliens Restriction Ordinance, 1921, which was passed by the Legislative Council on the 22nd of November, 1921, together with a statement of objects and reasons and a comparative table prepared by the Attorney General.

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

3. Your approval of my suggestion for the enactment of this Ordinance was conveyed by your telegram of the 29th of October, 1921.

I have the honour to be,

Sir,

Your humble, obedient servant,

GOVERNOR.

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

~~Ordinance.~~
~~Statement.~~
~~Comp. Table.~~

52536/1

INCLOSURE

In Duplicate No. 4231 20 12 1921

THE FORMER ENEMY ALIENS RESTRICTION ORDINANCE 1917.
STATEMENT OF OBJECTS AND REASONS.

61166/21

Owing to the Alienation of Immovable Property Restriction Ordinance, 1917, becoming imperative on the 1st of September last it was considered desirable that former enemy aliens should still be barred from acquiring immovable property in the Colony and advice was sought from the Secretary of State as to the means by which this should be carried out. The latter first suggested legislation for the period of one year on the lines of Section 11 of the Aliens Restriction Amendment Act, 1919, but, finally approved the introduction of a measure on the lines of the 1917 Ordinance referred to above on the ground of its being more suited to local conditions. The present enactment follows very closely the provisions of the 1917 Ordinance, except that the restrictions imposed are made to apply to former enemy aliens instead of to aliens generally.

It will be observed that there is an interval of nearly three months between the lapse of the 1917 Ordinance and the commencement of the present. It was not considered desirable to make the penal sections of the Ordinance retrospective and as far as could be ascertained there had been no prohibited transactions registered or entered into during the interval.

Sd/-

20th December, 1921.

W. LYALL-ST. T.

ATTORNEY GENERAL.

THE FORMER ENEMY ALIEN RESTRICTION ORDINANCE, 1941.COMPARATIVE TABLE.

Section.	Remarks.
1.	Short title.
2.	Definition of Former Enemy Alien; taken from Section 2 of the Former Enemy Alien Restriction (Amendment) Ordinance, 1940.
3.	No person without consent of Governor to sell <u>land</u> etc. Immovable property to any former <u>ENEMY</u> alien. From Section 2 of the 1941 Ordinance.
4.	Agreements not to be made before commencement of Ordinance & not void. From Section 3 of the 1941 Ordinance.
5.	Provisions relating to transactions prohibited under Section 3 of void under Section 4 not to be voided. From Section 4 of the 1941 Ordinance.
6.	Penalties. From Section 5 of the 1941 Ordinance.
7.	Ordinance to be in operation for one year. This is in accordance with ^{the} instructions contained in the Secretary of State's telegram of 21st August.

Sd. N. W. LYALL-GRANT.

ATTORNEY GENERAL.

Nairobi,
20th December, 1941.