

1922

KENYA

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FROM  
GOVERNOR  
NORTHEY

DATE  
30 15TH JANUARY 1922

TO  
Mr.  
Mr.  
Mr.  
Mr. Grindle  
Sir H. Lambert  
Sir H. Read  
Sir ~~Mason~~ Smith.  
Mr. Wood  
Mr. Churchill

SUBJECT

STOCK TRADERS LICENCE ORDINANCE  
NO. LIV OF 1921

115

Encloses copies with legal report.

Previous Paper  
899  
8994/1919

MINUTES

*Spare copies to Library*

*Mr. Elphinstone Mr. Nottingham*

*I am not sure that collection  
in the matter of "employment" is  
impossible.*

*If the net result in fact could be  
small for Kenya etc. £1,500  
sufficient*

*Notify us...*

*4.3.22*

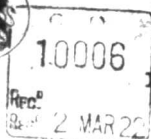
*W.A.S. 4.3.22 A.S. 4/3.*

*S&RA*

Subsequent Paper  
15969  
1930

KENYA.

No. 50.



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GOVERNMENT HOUSE,  
NAIROBI.

KENYA.

16th January, 1922.

Sir,

I have the honour to transmit herewith two authenticated and ten printed copies of the Ordinance.  
Statement.  
Table.  
Stock Traders Licence Ordinance, 1921, which was passed by the Legislative Council on the 30th of December, 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.

I have the honour to be,

Sir,

Your humble, obedient servant,

*Edward Northey*

G O V E R N O R.

THE RIGHT HONOURABLE

WINSTON CHURCHILL, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

THE STOCK TRADERS LICENCE ORDINANCE, 1921.

STATEMENT OF OBJECTS AND REASONS.

The original Ordinance of 1918 provided that no person should either as principal, employee or agent sell stock without a Rs.300/- licence. It was felt that this fee was excessive as every employee under it had to take one out. An amending Ordinance (No.27 of 1918) reduced the fee to Rs.150/- and further provided that it should not be necessary for an employee or agent of a stock trader to have a licence when selling or bartering stock on behalf of his employer or principal. This amendment led to widespread evasion of the Ordinance by Somali traders whose modus operandi was for a number of them to club together and for one to take out a licence and then inform the Licensing Officer that the remainder were his agents. It was considered advisable to revert to the principle of original Ordinance which granted no exemption to agents and employees. The present Ordinance was passed to carry this into effect and further reduce the licence to Rs.50/-. The 1918 Ordinance requiring mere employees to have licences was considered too strict and for this reason the present Ordinance takes a medium course and includes agents, which puts a stop to the evasion referred to above, but excludes mere employees who have no authority from their master to trade on his behalf.

MR. R. W. LYELL, C. S. A.  
 ATTORNEY GENERAL.

Nairobi,

10th January, 1922.

**THE STOCK TRADERS LICENCE ORDINANCE, 1912,  
COMPARATIVE TABLE.**

Section.	Remarks.
1.	Short title.
2.	Definition.
3.	Persons holding licences under the Sales by Auction Ordinance, 1912, exempt.
4.	No person to carry on trade as a Stock Trader without a licence whether as principal, partner or agent except (a) farmer buying stock in course of business, and (b) Native buying stock in Native Reserve.
5.	Licences issued by Resident or District Commissioner; annual licence Ffs.50/- half yearly Ffs.25/-.
6.	Power to call for production of Licence.
7.	Person contravening Ordinance liable to a fine of £100 or imprisonment for 6 months or both.
8.	The Stock Traders Licence Ordinance, 1912, and Amendment 1912 repealed.
9.	Ordinance takes effect from 1st January, 1922.

Sd. S. W. EYALL-GREENT.  
ATTORNEY GENERAL.

Mairobi,  
10th January, 1922.

Colonial Office Regulation 182  
(Short title) The Stock Traders License Ordinance 1921

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In my opinion the Governor may properly assent to this Ordinance.

INCLOSURE

Despatch No. 50 of 16-1-1922.

*R. W. Gulliford*

Attorney General.