

DEA

350

1922

KENYA

63532  
REC.  
REC. 27 DEC 22

FROM  
GOV'S DEPUTY  
NORTHCOTE

1613

DATE  
24TH NOVEMBER 1922

FOR CIRCULATION —  
Mr. Batterley  
Mr. S. J. Kealy  
Mr. Grindle  
Sir H. Lambert  
Sir H. Bead  
Sir J. Masterton Smith  
Mr. Wood  
Mr. Ch. Hill

SUBJECT  
MAINTENANCE ORDERS ENFORCEMENT (AMENDT)  
ORDEN. XVIII OF 1922

Two copies with legal report.

Spare copies 15  
MINUTES

This Ord<sup>e</sup> encl<sup>d</sup>. the amendments to  
the Ord<sup>e</sup> on 52915/21  
in our despatch on this subject  
Subject to legal sanction we should now  
sanction the Ord<sup>e</sup> on 52915/21  
as amended by this Ord<sup>e</sup>

SJS  
29.12.22

S. J. Kealy  
S. J. Kealy  
Does include Kenya in the  
last one  
And inform for accordingly  
in applying for disallowance  
as proposed above

Amend. to C. to Comm. office - 14 April 22  
S. J. Kealy  
Amend. to C. to " - 14 April 22  
Amend. to C. to " - 14 April 22  
Amend. to C. to " - 14 April 22

Subsequent Paper

Ceil  
19434/22  
8.6  
46645  
/22

H. B.  
11.1.23

MINUTES.

MINUTES NOT TO BE WRITTEN  
ON THIS SIDE.

Sir J. Rusby

? The Ordinances may be  
allowed & 2 Kenya (long) shd  
be included in the next (long)  
O. in C. & Kenya Protectorate in  
the next Protectorate one.

Ab

3/1/22

Enquiry

Sh.

4/1/23

W. C. 5.1.23

W. C.

secret

KENYA  
No. 1618.

63532  
REC  
REL 27 DEC 22

GOVERNMENT HOUSE,  
NAIROBI,  
KENYA.

24th November, 1922.

305  
52915  
Finance. 21  
Statement.  
Table.

My Lord Duke,

With reference to Mr. Churchill's despatch No. 1734 of the 15th November, 1921, I have the honour to transmit herewith two authenticated and ten printed copies of the Maintenance Orders Enforcement (Amendment) Ordinance, 1922 as passed by the Legislative Council on the 23rd day of October, 1922, together with a Statement of Objects and Reasons and Comparative Table prepared by the Attorney General.

2. Sir Robert Coryndon has assented to the Ordinance in the name of His Majesty.

I have the honour to be,  
My Lord Duke,  
Your Grace's most devoted  
and obedient servant,

*J. A. G. ...*  
Governor, Kenya.

His Grace

1st Duke of Devonshire, Bt., G.C.S.I., G.C.B., G.C.V.O.,

Leicester, 22, Bedford Square, London, W.1.

London, 22nd Nov. 1922.

THE MAINTENANCE ORDERS (AMENDMENT)  
(AMENDMENT) ORDINANCE, 1922.

COMPARATIVE TABLE

353

Section	Remarks
1.	Short title.
2.	Amendment of Section 2 of the Principal Ordinance to extend operation of the section to maintenance orders wherever made.
3.	Amendment of Section 3 of the Principal Ordinance to include the registration of maintenance orders made in any Court in England or Ireland.
4.	To provide reciprocity between Kenya Colony and other British possessions where maintenance orders of the Colony's Courts can be enforced.

Nairobi,

15th November, 1922.

*W. A. G. G. G.*  
ATTORNEY-GENERAL.

Kenya  
63532/22

351

G  
8.

Kenya

10

115  
Coryndon

Downing Street,

10 Jan'y 1923.

116 Jan 8 Sir,

Ballerbee

I have the honour to acknowledge the receipt of your despatch

No. 1613 of the 21<sup>st</sup> of Nov<sup>r</sup> and to inform

you that His Majesty will not be advised to exercise his power of disallowance

with respect to Ordinances No. 33 of 1921

of the Legislature of Kenya, entitled

"An Ordinance to facilitate the enforcement in the Colony and Protectorate of Maintenance Orders made in England and Ireland and vice versa", and No. 18 of 1922 entitled

"An Ordinance to Amend 'The Maintenance

Orders Enforcement Ordinance, 1921"

I have the honour to be,

Sir,

your most obedient, humble servant,

2. The necessary steps will be taken here to apply the provisions of the Statute Act

The Officer Administering to Kenya Colony & Protectorate by order of the Government of

(Signed) DEVONSHIRE

Govt. of Kenya

315

Sent

DRAFT ORDER IN COUNCIL.

[ The Maintenance Orders (Facilities for Enforcement) Act, 1920. ]

ISA 7/3/23  
8877.127

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act, 1920, provision has been made for the enforcement in England and Ireland of maintenance orders made by Court in any part of His Majesty's Dominions outside the United Kingdom to which the said Act extends;

AND WHEREAS by the said Act it is amongst other things provided that where His Majesty is satisfied that reciprocal provisions have been made by the Legislature of any part of His Majesty's Dominions outside the United Kingdom for the enforcement within that part of maintenance orders made by Courts within England and Ireland, His Majesty may by Order in Council extend the said Act to that part, and thereupon that part shall

and in exercise of the powers by the above recited Act in His Majesty vested, is pleased, by and with the advice of His Privy Council to order, and it is hereby ordered as follows:-

1. The Maintenance Orders (Facilities for Enforcement) Act, 1920, shall apply to the British Protectorates hereunder mentioned:-

The Protectorate of Kenya.

The Protectorate of Sierra Leone.

2. Nothing in this Order shall affect the making, registration, confirmation or enforcement in the Irish Free State of any maintenance order as defined in sections 10 and 11 of the said Act.

AND the Most Noble the Duke of Devonshire, K.G., P.C., G.C.M.G., G.C.V.O., one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.