

EAST AFR PROT

20830

G. 407

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Date

1912

June

previous Paper

18 Feb

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This comes with legal report necessary arrangements have been made.

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A & R

off

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C.V. 97

At your P.S.?

works added to G.B.

His Majesty will not be advised to exercise
 his power of disallowance with respect to the
 ordinance.

same paper

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GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA.

EAST AFRICA PROTECTORATE.

June 13th 1912.

No. 407

Sir,

With reference to your despatch No. 406 of the 27th July 1911, I have the honour to transmit herewith two authenticated and ten printed copies of the East Africa Weights and Measures Ordinance 1912 as passed by the Legislative Council on the 27th ultimo, together with an explanatory Memorandum by the Attorney General.

2. In obedience to the instructions contained in the above mentioned despatch the Bill was recommitted to the Legislative Council and the amendments proposed by the Board of Trade introduced and I have now assented to the Ordinance in the name of His Majesty.

I have the honour to be,

Sir,

Your humble, obedient servant,

CC Bowring

ACTING GOVERNOR.

THE RIGHT HONOURABLE

LEWIS HARCOURT, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

THE EAST AFRICA WEIGHTS AND MEASURES ORDINANCE, 1912.

AMENDMENTS MADE IN THE ORDINANCE PREVIOUSLY
SUBMITTED TO THE SECRETARY OF STATE,

Section 1.	Date altered from 1911 to 1912.
Section 5.	Printer's error corrected.
Section 10.	"Metric System" inserted in title of the Imperial Act referred to.
Section 14.	"Standards Department" substituted for "standard department"
Section 15.	<p>(a) In line 1 the words "in the Protectorate" have been inserted. The words "in the Protectorate" represent the words "in the United Kingdom" in Section 12 of the Weights and Measures Act 1875.</p> <p>(b) The words "provided that a Court may, in exceptional circumstances in the interests of justice, direct that a person who has received an advantage under such contract, bargain, sale or dealing, be declared to be void shall restore it or make compensation for it to the person from whom he received it."</p>

This is a useful provision and, it is submitted, a proper departure from the ordinary law, in the circumstances of this Protectorate. It would, in some cases, be inequitable to expect that a native should be aware of the requirements of an Ordinance of the nature of the one under consideration.

Section 16.

At the end of para (2) the word "weight" has been deleted and the words "weights or measures lawfully used for the time being in England" substituted.

This amendment has been made to permit of the use of apothecaries' measures which are legal in England.

Section 20.

Printing errors corrected.

Section 25 (1)
and (2).

Renumbered Section 25 and Section 26 respectively. The words "subject to the provisions of Section 2 of this Ordinance" have been inserted at the beginning of the new Section 26.

Section 26.

Has been deleted as recommended by the Board of Trade.

Section 29.

This Section has been deleted and a new Section inserted as recommended by the Board of Trade.

Section 42.

Deleted as recommended by the Board of Trade.

Section 51 (3).

Now Section 50 (3).

The proviso to this Sub-section has been added.

Section 52.

Now Section 51.

Paragraph (2) is new and has been inserted to give effect to the recommendation of the Board of Trade.

Paragraph (3) is necessary and should have been inserted in the original Bill.

Paragraph (d) of paragraph (4) is new and is necessary in consequence of the alteration in Section 29.

e Paragraph (e) of paragraph (4) is new and has been approved by the Secretary of State.

Notes.

The Schedules have been altered in accordance with the recommendation of the Board of Trade.

INCLQSURE

In Despatch No. 42 of 6. 19

THE NEW ANTIDIA TARTIC AND VACCINE ORDINANCE, 1912.

LEGAL REPORT

The Bill for this Ordinance was recommended to the Legislative Council and has been amended by the Council so as to give effect to most of the recommendations of the Board of Trade as can be usefully adopted at the present time.

I attach a Table setting forth the amendments made in the Ordinance previously submitted to the Secretary of State.

In my opinion the Ordinance may now be presented to and published.

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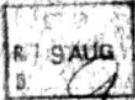
May, 1912.


CROWN ADVOCATE.

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L.A.P.



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L.A.P.

No 492

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St. 9m

Mr. Dear

S. 200 & 5050

Sir,

I have the honor to transmit to you the accompanying authentic copies of the EA weights & measures Order (XVI) of O.I.D. ^{which} to accompany your despatch No 407 of the 13th of June & to request that you will return them with the public seal of the East only impressed upon them.

Yours

C. P. S.