

EAST AFR. PROT
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G. 407
Date 1912
Previous Pages 2465

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No. 20,940 - IT 40,990, 12/11 A.S.W.

WEIGHTS AND MEASURES ORDINANCE
NO. 207 OF 1912
The copies with legal report, necessary amendments
have been made.

Mr. J. Fiddes
Sanction 27 + 47
keep some to the B of C
saying that they had been
sanctioned.
A. J. R.
Proceed as proposed
C. V. 47
At issue
words added to G. 15.
His Majesty will not be advised to exercise
his power of disallowance with respect to the
Ordinance.

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,


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 ^{the} 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 1876.</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 "weight or measures lawfully used for the time being in England" substituted.

This amendment has been made in pursuance 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 52.

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

Tables.

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

INCLUSION 2

In Despatch No. 44 of 1912 6 19

THE EAST AFRICA HATCHES AND YEASTS ORDINANCE, 1912.

LEGAL ADVISOR.

The Bill for this Ordinance was recom-
mended to the Legislative Council and has been amended
by the Council so as to give effect to such 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
assented to and published.

NAIROBI.

May, 1912.


CROWN ADVOCATE.

OAG 20830-12

R. SAUG
D. 9

L.H.L.

589

LAP
no 492

OAG

St 9 mi

M^r Leav

no 50596

to Aug 00

Sir,
I have a pleasure to
your the ^{enclosed} accompanying

authenticate copies of the
L.A. weights & measures

Order (XVI) of 1912 ^{which} & to
accompanied your despatch No 407 of the 13th of June
& to request that you will

return them with the
public seal of the E.A.S.
duly impressed upon them

I have

(copy)