

X 10188
1927

X.10188
1927

KENYA

From

Date

C0533/567

GOVERNOR'S POWERS WITH REGARD TO UNFORESEEN EXPENDITURE.

(not under Special Accounts)

Previous paper	(Minutes within)		
<i>From 28668</i>	<i>1918</i>	F. E. Dept	15
		M. Bickett	23
		Rev. Shady	24
		S.A.	25
		Whitecomb	30/6
		Room 4	1/7
		Room 3	13/7
		Room 1	5
Subsequent paper			
<i>16110</i>			
<i>30</i>			
<i>Leg</i>	<i>3/4</i>		
<i>Room 2</i>	<i>16/3</i>		
<i>Mr. D. Hedderley</i>	<i>19/6</i>		
<i>Mr. Gilman</i>	<i>23/1</i>		
<i>Mr. Robinson</i>	<i>23</i>		
<i>Mr. C. Stirling</i>	<i>30</i>		
<i>Cyprus Dept</i>	<i>10/6</i>		
<i>Nigeria Dept</i>	<i>11-6</i>		
<i>Rediff</i>			
<i>Williamson</i>	<i>19/6</i>		

(1001) No. 14687/11/27 (C. 2137)

NOT TO BE TURNED INSIDE OUT

1. ----- O.A.G. Denham ----- 4th February, 1927.
80.

Suggests that for the future the limits imposed upon the Governor of Kenya should be £10,000 and gives his reasons for the suggestion. Adds as to delegation of power to the G.M., K.U.R., to authorise expenditure up to £2,500.

L. E. Stephenson.

I spoke to you about this; but unfortunately we have failed to discover the 1918 cases. I shall imagine there is a case for an increase or even a substantial one; but surely £10,000 is ^{far} ~~rather~~ too much.

J.W. Allen

16/3/27

Mr. Allen,

On Tanganyika paper X.F.6374/1926 I stated that I saw no objections to the limit of £1,000 being raised in individual Colonies should it be considered to be desirable, but I agree that £10,000 is far too much. In my opinion the special arrangements applying in the case of Railway expenditure cannot properly be regarded as providing a suitable precedent in connection with the control of the expenditure of the Colony and Protectorate of Kenya. I suggest that, in the latter case, the limit should not go beyond £2,500.

P.T.O.

[Signature]
19.5.27

(C1)

Mr. Butchley

Xf 6374/P.T. cannot be found, unfortunately, but perhaps we can get on without it. The firms do not help.

? Reply on lines of Sir E. Stephenson's minute.

C. Stephenson
23.5.27

Mr. C. Stradley

I agree the limit on bills drawn on, to be used in connection with services - as in point - probably both. But in the latter case can a matter of £10,000 be considered an "ordinary occasion"?

W. L. Stephenson
23.5.27

For purposes of comparison I should like to know what is the limit in the case of F.M.S., Ceylon, Nigeria

A.
30/5

There is no limit in Ceylon - see minutes on 6317/20

There is no limit in Nigeria: see flagged reference

m 3415/17 G. Coast.

P. F. Morris

11.6.27

No. The Nigerian practice which was extended to the G.C. in 1920 is accurately described in para 2 of the despatch to the G.C. on C/61880/20 E.C.

R. A. Sheehan
4/6
27

No limit in Malaya - the firms of course enjoy much greater freedom than the ordinary one of Ceylon. In HK we have historically the about limit of \$1200 which has long since been a death letter, and in practice no limit is imposed.

R. K. Whitehead
15/6

(In practice we ensure a fairly strict control in Hongkong.) As regards the F.M.S. my experience of their financial methods has not been such as to stimulate a belief that their practical financial independence is a very good thing (we do not even have to sanction their estimates, though in recent years we have ventured to comment on them.)

18/6/27

I agree to £2500, quantity out for cases of urgent necessity, approval can always be sought by telegram -

C.S.
24.6.
at once

To Gov 590 (Handwritten)
To D.C.A. (W/Spikes 122) 13 JUL 1927

Mr. Whitcombe 30/6/27

Mr. Allen *HN*

Mr.

Mr. E. J. Harding.

Sir C. Strachey.

Sir J. Shuckburgh.

Sir G. Grindle.

Sir C. Davis.

Sir S. Wilson.

Mr. Ormsby-Gore.

Earl of Clarendon.

Mr. Amery.

[Handwritten signature]

[Stamp: G. D. 13 JUL 1927]

Downing Street,

9 July, 1927.

Sir,

I have etc. to acknowledge

the receipt of Sir Edward Grigg's despatch No.80 of the 4th. of February recommending that the limit within which the Governor is empowered to authorise extraordinary expenditure the without prior sanction of the S. of S. should now be raised from £1,000 to £10,000.

2. I have given careful consideration to the matter, and I ~~have~~ approved of the limit being raised to £2,500. I regret, however, that I do not feel justified in agreeing to the much higher limit (£10,000) proposed by Sir Ed^{ward} Grigg, but I would point out that in cases of urgent necessity involving sums in excess of £2,500, my approval can always be

DRAFT.

KENYA

No. 590

O. A. G.

[Handwritten: Copy to D.C.A. 13 JUL 1927]

Copy corres. to D.C.A. 1f.

credit by telegram.

3. With regard to para. 4 of the
report, I do not remember that the
principles of law applying in the case
of military expenditure can properly
be applied in providing a suitable precedent
for the expenditure of the
Protectorate.

I have, etc.,

(Signed) L. S. AMERY



KENYA.

No. 80

GOVERNMENT HOUSE
NAIROBI,
KENYA.

4th February
~~20 January~~ 1927.

COL. OFFICE

Sir,

I have the honour to refer to Colonial Office Regulations No. 256 and 304 in relation to the procedure regarding unforeseen expenditure above the sanctioned Annual Estimates.

In the course of my address to Legislative Council on the 12th of October last I pointed out that the practice of assuming that money which was denied in the main Estimates might be secured at a later date in Supplementary Estimates by the simple expedient of expending a vote prematurely and then asking for more could not be tolerated and I stated with emphasis that the services entrusted to Heads of Departments are to be conducted within the sums allotted to them for the year.

2. There are, however, occasions upon which it is necessary to exceed the limit sanctioned in the Annual Estimates. The Governor's powers are at present those defined in the late Lord Long's despatch No. 647 of the 4th September 1918, viz: that he may sanction payments of a casual or non-recurrent nature, not provided for in the Estimates, without obtaining your prior approval, up to the amount of £1,000.

3. I suggest that for the future the limit imposed upon the Governor of Kenya should be at the figure of £10,000.

THE RIGHT HONOURABLE
LIEUTENANT COLONEL J.C.M.S. AMERY, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.

/I

Ans. d. 590
C. A. 13 JUL 1927

Ep. 38668
18

I consider it necessary to provide for the rapid development of this country by empowering its Governor to deal with any ordinary financial occasion which may arise and to avoid the necessity for correspondence with the Secretary of State prior to the issue of Special Warrants up to the amount which is suggested.

4. In this connection I may state that since the office of High Commissioner for Transport was instituted the Governor of Kenya has, under Sections 5 (1) and 14 (1) of the Kenya and Uganda (Transport) Order in Council 1925, delegated, inter alia, the following power to the General Manager:-

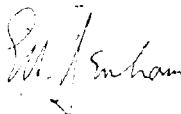
"He may authorise the expenditure of any sum not exceeding £2,500 in respect of any one Railway or Harbour work or service other than the work or service covered by sanctioned working Estimates or carried out under the authorised Construction, Betterment or Renewals programme, provided that such expenditure is subsequently covered by Supplementary Estimates or re-allocation".

By this delegation the Governor of Kenya has, as High Commissioner for Transport, in fact given the General Manager greater powers than those which he possesses as Governor of this Colony.

I have the honour to be,

Sir,

Your most obedient, humble servant,



For EDWARD GRIGG,
GOVERNOR.

106
X.F. 6374

16 AUG 1926

21 July, 1926. 8
END

Sir,

I have the honour to inform you that it has recently been brought to my notice that owing to the inadequacy of the drainage considerable damage has been done to part of the native township of Dar es Salaam by the heavy rains in the earlier part of the year and I am advised that the only remedy is the construction of a conduit to carry off the surface water during the rains.

2. In order to prevent further damage it is necessary for the work to be completed before the next rainy season and I have, therefore, authorised the Director of Public Works to proceed with the work which is estimated to cost £1250. It will be provided by Special Warrant against savings under item 126 of Head XXXII of the current year's Estimates.

I have the honour to be,

Sir,

Your most obedient humble servant,

DONALD CAMERON

GOVERNOR.

THE RIGHT HONOURABLE
L.C.M.S. AMERY, P.C., M.P.,
&c., &c., &c.,
DOWNING STREET,
S.W.

4/ALV.