

1928

Kenya

No. 15361

SUBJECT

CO 533/381

Departmental Offences Bill.

Previous

X.F. 3274/26

Subsequent

13603/29

KENYA.

No. 440



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

Sir,

th Aug
1928.

With reference to your despatch

X.F. 2214/26. No. 659, of the 14th July 1926, I have the

honour to transmit a draft Ordinance to provide for the punishment of Departmental offences and irregularities which, subject to your approval, I propose to introduce to the Legislative Council. A statement of Object and Reasons together with a comparative table of penalties is also enclosed.

2. Owing to doubts as to the value of the system of Departmental punishment, which was discontinued in 1924, and since that date the system should become statutory, and as the principles and reasons for the introduction of the kind of punishment adopted in the Colonial Service, I do not propose to comment on the necessity for the introduction to this Colony.

3. The only point in the draft Bill which appears to be open to question is that relating to the maximum salary fixed for the purpose of defining a subordinate European officer and a subordinate non-European officer, viz., £1,000 and £500 respectively, vide

4. I am aware that in the Ordinance you

have

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

8 JUL 1928

Copy of Bill

14

A B I L L
TO PROVIDE FOR
THE PUNISHMENT OF DEPARTMENTAL OFFENCES.

BE IT ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows:-

Short title.

1. This Ordinance may be cited as the "Departmental Offences Ordinance, 1928".

(1) In this Ordinance, unless the context requires, the term "Subordinate officer" means, in the case of an officer appointed under the conditions of service ordinarily applicable to Europeans, an officer whose salary does not exceed £600 per annum, and, in the case of any other officer, an officer whose salary does not exceed £225 per annum.

(2) The powers by this Ordinance conferred upon the head of a department may be exercised also by a senior commissioner and by any other European officer authorised in that behalf by the Governor.

Offences.

3. If any subordinate officer of Government -

- (1) contravenes any regulation or instruction in force in the department in which he is serving; or
- (2) disobeys or neglects to obey any lawful order of any officer in authority over him; or

(3)/-

Provided also that where the Colonial Secretary shall have declared by writing under his hand that he has cancelled the penalty imposed on a person convicted of an offence against this Ordinance, in order that proceedings may be taken against such person in court of law, such person shall not be deemed to have been punished for or to have expiated such offence.

Power to make rules

20. The Governor may make rules -

- (1) conferring powers upon heads of departments to enable them to enquire into offences;
- (2) prescribing the manner in which and the objects to which fines imposed under this Ordinance shall be applied;
- (3) regulating procedure...



1928

Kanga

No. *15373*

SUBJECT *CO 533/381*

anti malaria measures

Department of Health & Social Hygiene

Engagement of

3288/24 K.

Subsequent

3248/24

