Constitutional development & Thrancial Control. 3198/33 Subsequent Part / Land. he truston

the Defuty Mone 36 ling -States question of elention of Sengral Harages K. V. K. 9 other head of common services has been considered & it is considered that no change can be made at the moment busumes action when then regarding addl nature represent. ative or horision for changes in disynation of bone for boat both, 4 0.0/M + 5.5. Stiles it is for conson whether Sheekh Ali him Salin should be appointed us assurated unofficial acabrepus The points daised in fine 2 of the forenon despotel have been fully choused in the winter on 23.42/24, + The wer To I have Carnet. To aget of the 42 21. lin Salam do the Non daspiral heater to he has separate and contents to he tem efferment on 2304/34 " The may be both CAPONI-14/24 Housing the kind of We shall tenor more of the when we receive the Grown speech on speech may any co. It tooks like a sife to certain - and not a very nounding sof. Atouth No haim anyhow and putaps sopt

(Ty. Report of Standing Orders Committee, providing for establishment of Standing Finance C'ter, and seeks adviced)

5. 9. Stending France Catter of by Council

Ly Count

Note on Starting Finance C'lès

( Has deleted Standing Order 55).

Before Nº 6 award I had asked The Theyen for - note on the practice in other Cole; Nº 5 in the wealth of the also trust to get with tonds with The Bream Fell it the HIC but without Success (it was a Salanday manning!) Dhe for Aramad, on Sin C Bottomby direction

Il amois of brough the sale problem in sent thomas. That we about to a sale material that a Colonial legislature and and make the morphisms are not meant to make the transfer and that is possible to make the more and the sole of the system of the transfer to make to bound to the more than the sale of the system of the system of the system they have thought better of the

16.7

By air mail To Sir J. Byrne ( po Sutant ) oto 17/1/24

Shorts the appointment of a Standing Thrance butter of the hig bound to carry on the work of the Standing Thrance butter or take the place of the Select butter on to tamales.

Ends of of seport of Select Cutter of hy bound on the application of the Select Cutter of hy bound on the application butter of the butter of the Select of action taken.

The Committee or needy bolanced.

3 Officials, 3 European Elected Tembros.

1 Indian, 1 Notice Refere But a

leftest in Committee (in day unlikely)

would not mean - defeat in

council; the Citie is to be

advised order.

Symposion of mid a new record and a new results of 23259). In the meanting and a server that her action multi with Seps., approval

So proceed. His your to 3 get and some of the services, with its sold thank of the strand

To Kenya , conf ( & wound ) Rogerty Note .
The despatch transmitting which of remaind . Standing haber the despite hay the world on the segment is upday to

23039/34 Moss Powell 19 Mr. Venning Left Mr. Parkinson Sir G. Tomlinson Sir C. Bottomley. Sir J. Shuckburgh I have the home Permit U.S. of S. Parly U.S of S. Secretary of State to ack. the receipt of your Conf. desp. ho. 119 Kenya. of the loth of any, Cong. and regarding the How. appointment of a Standing Finance FURTHER ACTION. Committee of the Legislative Council, and to assure you that your action in the matin meets with my approvae. I have, etc

AIR MAIL. KENYA. No 119

RECEIVED

GOVERNMENT HOUST NAIROBI.

KENYA.

August. 1934.

CONFICENTIAL

5 T AUG 1934 C. O. REGY

Sir,

I have the honour to refer to correspondence terminating, with your Confidential telegram No. 18 of the 26th January, 1932, in which you approved the 18018/32 appointment of a Standing Finance Committee, with the following terms of reference: -

> "To keep under constant review the economic situation of the Colony in relation to the Government revenues and to report from time to time with a view to enabling Government to take such action as may be necessary to maintain a balance between revenue and expenditure."

2. That Committee has been functioning regularly since its appointment, and has served the purpose for which it was formed. I have, however, for some time been considering the possibility of appointing a Standing Finance Committee of the Legislative Council which would carry on the work of the Standing Finance Committee, advise me on any financial questions which I might from time to time refer to it. and take the place of the present Select Committee on Estimates won are aware, that Select Committee Official Members and all the Unofficial an unwieldy body. In my opinion, a matter committee would be much more satisfactory in expedition consideration of the Estimates.

RIGHT HONOURABLE MAJOR LIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.B. CRETARY OF STATE FOR THE COLONIES, Downing Street, LONDON, S.W.1.

3. A Select Committee of the Council was recently appointed to review the Standing Rules and Orders and I took the opportunity to request them to examine the possibility of devising a workable procedure by which a Standing Finance Committee of the character I had in mind would take the place of the Select Committee in dealing with the Estimates. Copies of their Report, which on this point is unanimous, are appended for your information. The Report was adopted by motion of the Legislative Council on the 25th July, with the following amendment, which is of a formal character: -

"Addition of the following sub-clause to Standing Rule and Order No. 52: -

- (x) The Committee shall continue to sit until dissolved by the Council or until the dissolution of Council".
- 4. Subsequent to this, on the 26th July, the following motion was passed by the Council: -

"Be it resolved that, in accordance with Standing Rule and Order No. 51, a Standing Finance Committee be appointed for the remainder of the life of the present Council for the purpose of considering and reporting upon the annual and supplementary estimates of revenue and expenditure in accordance with the procedure laid down in Standing Rule and Order No. 52, and of advising the Governor upon such other financial questions as His Excellency may from time to time refer to it. The Standing Finance Committee shall consist of:

The Hon. the Colonial Secretary (Chairman);
The Hon. the Treasurer;
The Hon. the Chief Native Commissioner;
Lt. Col. the Hon. Lord Francis Scott;
Major the Hon. F. W. Cavendish-Bentinck;
The Hon. Conway Harvey;
The Hon. J. B. Pandya;
The Hon. R. W. Hemsted."

5. Although the Unofficial Members, both European and Indian, are fully aware that no constitutional significance is to be attached to the appointment of a

Standing Finance Committee under the Standing Rules and Orders, the proposal has been warmly recomed by them and the press, as an indication of the Government's desire to co-operate with unofficial opinion and to give greater status and permanency to the Committee than it would otherwise have. I should be glad to know if the action which I have taken meets with your approval. The Standing rules and orders, as amended by the Report, are being printed, and copies will be forwarded in due course for signification of his majesty's pleasure in accordance with Article MIV of the Royal Instructions.

I have the honour to be,

four most obedient, humbie servan

BRIGADIER-GENERAL

RIPORT

THIS SELECT SOCIETTIES OF THE LOSISCENT MEMORE AND RESIDENT TO SOCIET THE COLOR OF THE COLOR CANDERS OF THE COURT CANDERS OF THE CANDERS OF T

Your axadliney,

By Motion of the Legislative Council on the white well, is not were impointed almosts of a Solict Committee, he were instructed to consider the stading Adoles which we of the Council has to report on ourse amendments that to be a considered necessary.

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d. Crim by an incise of the incise two lands... If the incise the not taked the the work of the control of the

(c) The test name on the contract of our distribution of the lorgesting account that the refer of

"Extr orain ry sessions. b. The Jovern F. or in his blance the confirmation of the confirmation of problems, result in extraording resolution of Levisi tive of a time to the confirmation of a time and a time and a time and a time a

(c) The tout adding Rule and Grans and I bu del tou

"Withdrawal of strangers.

- council is in Committee, mry at any time order strangers to withdraw and absent themselves from the Council Chamber and may order the doors of the Council Chamber to be closed."
- (d) That Standing Rules and Orders wos.16, 17 and
  18 be deleted and the following substituted
  therefor -

"Procedure on prosentation of Patition.

- 16.(1) No patition shall be received which is not properly and respectfully worded.
- (2) Patitions shall be presented and loid on the Table by a Member of the Council, whose duty it shall be to inform the Council that in his opinion the patition complies with the requirements of this Rule.
- (3) It shall be competent for my Member to move that any petition be not received on the ground that it does not comply with the requirements of this Rule, or on any other ground, and if such motion be seconded and carried the petition shall not be received.
- ing a patition other than such remarks as may be necessary to state the number and general description of the patitioners and the substance of the patition.
- 18. On the presentation of any patition, it shall lie on the Table, and the Member presenting it may move that it be ordered to be printed or that it be referred to a committee.
- That Standing Rule and Order to 20 be deleted

"Custody of papers.

- shall be deposited with the Clerk who shall be responsible for the safe wustody thereof. All such papers shall at all reasonable times be open to the inepaction and perusal of members and shall, on notice being given to the Clerk, be produced before Council if any member so desires."
- by renumbering sub-market (viii), (ix) and (x) as sub-Rules (4x), (x) and (xi) and by the insettion of the following as sub-Rules (viii)

"(viii) With the large of the president,
any Member may at any time during the course
of a debrto move that the question be now put.
No debrte on this motion shall be allowed and
if such motion be carried, the debets shall,
subject to the right of reply provided for in
sub-Rule (vii), carse and the question sarily
be put."

(g) Thet Stending Rules and Orders world to do doloted and the following substituted therefor

Stending committees.

51. The Council may, on mation made and question put appoint Standing Charittees, and the provisions of Rules 53 to 65 shell, mutatis mutantis, apply to such Committees. Provided that when a Standing Committee, appointed in accordance with the provisions of this Rules requested by the Governor to consider and report to this upon any matter, the report of such Committees on such matter shall not be less on the Towns unless the Covernor so

- 52. When a Strading Committee on Finance is appointed the following procedure shall be adopted -
  - (i) not less then sayin days from the data

    is which the write Estimates of Rayonus

    end expanditure for the ensuing year

    in leit on the Table of the Council

    the Coloniel Secretary or such other

    Member of the Council as the Bovernor

    may appoint, shall mays that the first

    Estimates be referred to the Committees
    - (ii) on the action to refer the iffit Estimates to the Committee, any deaper shall have the right to discuss them in principle and in detail;
    - (iii) when the motion referred to in sub-Rule (ii) has been adopted, any Member of the Council shall have the right to appear and be heard before the Committee at a place and time to be fixed by the Committee. Provided that any such Member shall have given previous noti to the Clark of his intention to appear before the Committee and of the particular points on which he wise is
      - with this Report of the Committee shell be without the the Governor not shell be laid on the Table of the Committee
      - Member as the color redent to some Member as the color redent that a soliton rever interest that

the Report and sheller the same time give notice of any amendments to the Report which he proposes to move;

- Report which he proposes to move;

  (vi) any Member of the Council shall have

  the right to submit written notice of

  any amendments to the Report which he

  proposes to move. Provided that any

  such notice shall be submitted to the

  Clork at least one clear day before the

  of this Rule,

  any which, under sub-Rule (v)/has been

  appointed as the day on which the

  aloption of the Report will be moved;
- (vii) no emendments to the Report, other than those of which notice has been given under sub-Rules (v) or (vi) of this Rule shall be moved;
- (viii) not less than one clear lay after the facts on which any Schedule of Additional Provision is laid on the Table, the Colonial Secretary, or such other Member as the Governor may appoint, shall mays that the said Schedule be referred to the Committee.
  - such Schelule shall be laid on the
    such Schelule shall be laid on the
    Table of the Council, and the Colonial
    Secretary, or such other Member as the
    Covernor may appoint, shall give notice
    of motion for its a coption with such
    amendments, if any, as he proposes to

How appointed.

53. A Select Committee shall be appointed on motion made and question put and shall consist of such wembers as may be chosen by the Council or by Committee of the whole Council.

May be appointed at any stage.

• 54. A Saleot Committee may be appointed by the Crunoil at any stage of its precedings or whom in Committee of the whole Council.

Members may be appointed while Council adjourned. Committee not having been chosen before the close of a session it shall be competent for the covernor to select mambers of the Council to serve on the Select Committee or appointed on matical

Chairman.

Appointed a Chairman thereof shall be damed. The Governor may, from time to time, in case of the death or unavoidable absence of a member appoint another Member of the Gouncil to take the place of such member on the Solect Committee.

Quorum.

the incosence of perticul minetractions as to the number of sembers of a selder Committee who shall form a quorum, the following provisions shall apply

Two Mambars shall form a quarum, if the Select Committee consists of not more than five Membars; three, if the Select Committee consists of six or seven Membars; four, if the Select Committee consists of sixit or mine Membars; no five, if the Select Committee consists of ton or more.

Membars:

Minimum mambarahip. 58. Every Select Committee shall consist of at least three Members of the Council.

(iii) by the insertion of the words "where possible" immediately after the comme in line eight.

(Major Gaventish Bontinck dissents from the proposed amenimont in (ii) in that he cansilars that unloss any such section be set out in its antimety it may often be deficult for memoers to appropriate the precise significance of the proposed alteration or ameniment).

Maior Cavendish Bentinck, major Riddell and Captain Schwartze are of the opinion that steps shoul! be taken to emend Standing Rule and Order wo.32 by the deletion of the proviso theret. They reclied that this provise is taken direct from the Instructions under the Royal Sign Manual and Signot, but they recommend that representations should be made by this 30vernment with : view to the issue of amending Instructions. Their view is that it is almost impassible to submit any original proposition to the Council which los not. in some measure, reduce of charge some part of the revenue arising within the Colony, or revoke alter or vary an existing charge on the revenue, and therefore, in practice, the proviso is trequently demoral; nor, in their opinion, does the intention of a provise thus world officem to the principles underlying representation on a Legisletive Council by means of Eldeted Combors. The majority of the Commettee, nowever, recomments that ne setion by taken.

we realise that the amendments which we have proposed are numerous and we therefore recommend that, if our Report is supposed, steps should be taken to reprint the Standing fulles and Orders as amended, we suggest that an index might with advantage be appended.

Captain Schwartze left the Colony before the presentation of our Report but he is in general agreement with our recommentations.

We have the honour to be,
Your Excellency's obedient servants,

(SIGNED) W. HARRAGIN (GHAIRMAN)
(SIGNED) T.D.H.BRUCE (MEMBER)
(SIGNED) E.B.HOSKING (MEMBER)
(SIGNED) F.CAVLILLISH BENTINCK (MEMBER)
(SIGNED) G.H.RIDDERL (MEMBER)
(SIGNED) P.S.MALGAT (MEMBER)
(SIGNED) J.B.RANDYA (MEMBER)

SD. J.F.G. TROUGHTON

SECRETARY

Neirobi, 19th July, 1934.

23039 34 M. + 200 16 " Hart II Antial A. Kal Mr. Pakinson. JUL 3 / R Str G. Tomlinson Sir C. Bottomley, 16 Sir J. Shuckburgh Permt. U.S. of S. Parly U.S. of S. Cont! Secretary of State. Thy dear Byme, DRAFT. CCLIC KNE CD you little of the se of July about the new Standing Order for Regulation Council reached me only - fine him before you telegram, No 164 of July 16th not with in to prom the point inte The Dines Fell. The coulou entite from the Stimm our fth' Home of Commen be of whent clas toplet the you

butter park has been to Think the sand they say a Arie House the Street France Committee whether with the opposite mambers in Munches it melader our delin minimo out of lin Cut which is said to have they shall be shall and I underlied the the districts of the cody honozinione. Sania Somo and and to craining the Starting non would we for touter outtin knit, was and some of any him to be the land and appoint his is Menya , and for the first · La your mineral of (Signed) W. C. BOTTONLEY, F

" ruly for fall

Extracts from Standing Orders
House of Commons 1933.

Constitution of standing committees.

Not more than five standing committees shall be appointed for the consideration of bills or other business referred to a standing committee.

. . .

One of the standing committees shall be appointed for the consideration of all public bills relating exclusively to Scotland and committed to a standing committee, and shall commist of all the members representing Scottish constituencies, together with not less than ten more more than fifteen other members to be meminated in respect of any bill by the committee of selection, who shall have regard in such memination to the approximation of the balance of parties in the committee to that in the whole House.

Nomination of standing committees.

1,8

Each of the said standing committees shell consist of not less than thirty nor more than fifty numbers, to be nominated by the committee of industries, who shall have regard to the composition of the Hause; of



Telegram from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 14th July, 1934.

Received 10.28.am.14th July.

No.164

Following message for Bottomley begins.
Reference to my air mail letter personal July 5th
yesterday in Executive Council with the approval of the
unofficial members I deleted Standing Order No.55 and
requested Committee to reassemble and reconsider certain
other orders which in my opinion conflicted with
parliamentary practices.

Byrne.

3 Guan The A shall wa Standing Pittle on Trundad 35 Imance of which the Colder the quantes and the BRW. shall we exoftene who bees and all the unofferal members of the Council shall be members of this standing the and I on that a noffer Lairman but only the Unofficial were bus shall iters intlli. The the strong firm alous The President a Kail approved the following ranking cammilias of (a) of francy commettee consuming Receive general library man! Collector of histon Portector of Sungano, Les elected menties Two officed nominated members Jour unoffuni men . The Gor way form time to time Handura appoint a Handing Financial Citie the command of all the officeal o Amoffinal members folia Comme

send the Estimates after they have been laid on the Table

It has ned that an ad hoc Select Committee had sele

the new procedure outlined above.

heir R pride which you will see that it contains an ananimous a commendation regarding the above suggested method of dealing with the Budget.

The point on which I would ask for urgent advice from the Colonial Office is in connection with new Rule 55.

I personally have never before seen in any Standing Rules and Orders a rule defining the political parties to be represented on a Committee and I want to know how I stand in regard to this matter of parliamentary practice before I commit Government to full agreement with the Report.

The European Elected members will press strongly for the insertion of this rule which they think will make their position safer. The Indian view is recorded in the Report and as regards the <u>present members</u>, who are rather fighting amongst themselves, I had a meeting with them and told them

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GOVERNMENT HOUSE, KENYA, EAST AFRICA.

the position and informed them that they had only one member

- Mr. Pandya - who was suitable to represent their interests
on a Committee of this nature. I think the responsible
Indian community on this occasion will - of course with some
protest - fall in with my views, but the position will be
rendered more difficult if they find that the Government
has bound itself by Standing order to a similar constitution in the future.

Could you get an opinion from the House of commons (you remember Mr. Brian Fell who advised us during the 1927 Colonial Office Conference) as to whether it is in accordance with usual parliamentary practice to adopt a Standing Rule of this nature? If the advise is against adoption it would enable me to accept the remainder of the otherwise was ful report without the usual turnoil which would result from disallowance based on political grounds only.

Council meets on the 24th and if you could send me

a cable as soon as possible after you receive this I would be very grateful.

Yours sincerely

Sir W.C. Bottomley, K.C.M.G., C.B., O.B.E.

ONDON. S.W.1

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Hoult high fuel duft - not get signed

REPORT OF THE SELECT COMMITTEE OF THE LIGISLATIVE COUNCIL AFTOTHER TO COUNCIL OF THE STAILING RULLS IND ORDERS OF THE COUNCIL

Your Excellency,

By motion of the regislative Council on the 27th April, 1934, we were appointed Members of a Select Committee and were instructed to consider the Standing rules and Orders of the Council and to report on such amendments thereto as may be considered necessary

- 2. "e recommend:-
  - (a) That Standing Rule and Order No. 2 be amended by the deletion of the words "one month" in line three and the substitution therefor of the wards "forty-two days";
  - (b) that Standing Rule and Order No. 11 be amended by the deletion of the words commencing with strengers in line two down to the end of the Rule and the substitution therefor of the words any stranger or strangers to withdraw and about themselves from the Council Chamber and many order the doors of the Council Chamber to be closed
  - (c) that stending Jules and orders ros. 16, 17 and 18, be repeated and replaced by the following:
    - 10. (1) No petition shall be received which is not properly and respectfully worded
      - (2) retitions shall be presented and laid on the Table by a tember of the Council, whose cuty it shall be to inform the Council that in his opinion the petition complies with the requirements of this rule
      - (3) It shall be competent for any democrate move that any petition of not received on the round that it does not comply with the requirements of this Rule, or any other ground, and if such motion of seconded and carried the petition shall not be received.
    - 17. No speech shall be add when presenting a patition beyond such remarks as may be necessary to state the number and general description of the petition.
    - 18. Patitions on being received may be rad or ordered to be print d, or, if relating to a matter before a committee ordered to be referred to such committee for consideration and report.

1/2

All such papers shall at all reasonable time be open to the inspection and perusal of members and shall, on notice being in a to the Clerk, a produced before Council if any matter so

by roumbering sub-rules(viii), (1) amon, sub-rules (ix), (x) and (xi) and by insurance of the following as sub-rule (viii):

(viii) With the loave of the President, any Member may at any time during the course of a debate move that the question of now put. No debate on this motion shall debate shall coase, except that the right shall be preserved, and the question shall be put.

(f) that Standing Rule and Order No. 54 be renumbered as Standing Rule and Order Fo. 70, that all following Standing Rules and orders be consequentially renumbered and that the following new Rules be inserted as Rules 54 - 65: -

## STANDING COMMITTEE ON FINANCE.

54. The Council may curing the second Session after the general election held in 1834 and during the first Session after any subsequent general election by motion made and question put appoint a Standing Committee on Finance (hereinafter in these hules referred to as "the Committee").

(major Cavendism-Bentinck, major hiddell and Captain Schwartz consider that the word "may" in the first line of this draft hurshould be deleted and the word "shall" substituted therefor).

55. The Committee shall consist of the following Lambers: -

Three Duropean Elected Members.

Three Duropean Elected Members.

One Indian Elected wember.

One Nominated Unoffical Member representing the Interests of the African Community.

(Mr. Mangat and Mr. Pandya consider that the above does not provide adequate representation for Indian Interests. They consider the matter of these European Elected Combere to one Indian Elected member to be indonestated with the lacted members.

- They suggest, as alt reatives, the forfowing:
- (a) Three Official members,
  Three Luropean Meeted members;
  Two Indian Elected members;
  One Nominated Unofficial member
  representing Native Interests.
- (b) Three Official members; Two European Elected members; One Indian Elected member; One Nominated Inofficial member representing Native Interests
- (c) Four Official members; Four Duropean Elected Members; Two Indian Elected Members; One Nominated Unofficial dember representing Native Interests.
- (d) Two Official Members; Two Buropean Elected Members; One Indian Elected Amber; One Hominated Unofficial Member representing Native Interests.).
- 56. The Governor may from time to time, in case of the death or unavoidable absence of a simber of the Committee, appoint another mumber of the Council to take the place of such simber on the Committee.
- 57. Five Minbers of the Committee shall form a quorum.
- 58. The draft istimates of hevenus and impenditure shall, before the close of the year immediately preceding the year to shich they relate, be laid on the Table of the Council.
- 59. Not less then seven days from the date on which the said dreft astimates are laid, the Colonial Scoretary, or such other member of the Council as the covernor may appoint, sail move that the dreft Estimates be returned to the Committee.
- 60) On the motion to refer the draft Estimates to the Committee, every Member shall have the right to discuss them in principle and in detail
- 61. Then the motion referred to in Rule 60 has been adopted, any Member of the Council shell have the right to appear and he heard before the Committee at a place and time to be fixed by the Committee; provided that any such member shall have given previous notice to the Clerk of his intention to appear before the Committee and of the particular points on which he wishes to give evidence.

as the Governor may appoint, shall give four clear days notice of his intention to move the adoption of the Report and shall at the same time give notice of any amendments to the Report which he proposes to move.

Any Member of the Council shall have the right to submit written notice of any ammunents to the Report which he proposes to move:

Provided that any such notice shall be submitted to the Clerk at least one cleek day before the day which under Rule 63 has been appointed as the day on which the adoption of the Report vill be moved.

- 65. No amondments to the Report, other than those of which notice has been given under the preceding Rules, shall be moved.
- of the aport has been accepted the adoption of the aport has been accepted the acce
- 67. All Sendules of haditional trops sion compiled in second denote with Loionral negulation he. 201, for any figurest on amending or replacing the same, shall be larged on the Table of the Council.
- b8. Not less then on cler day from the date of which any such Scatcul, is leid, the Colonial Secretary, or such other members at a covernor has appoint, shell move that the said Schedule be referred to the Committee.
- 69. The Report of the Committee on each such Schedule shall be laid on the Table of the Council and the Colonial Secretary, or such other Member as the Governor may appoint shall give notice of motion for its adoption with such amandments, if any, as he proposes to move.
- (g) that now Standing Aulc and order No. 80 be amunded by (1) the deletion of the word "fourteen in the first line thereof and the substitution therefore of the word twelve!) (2) the deletion of the tord whole in line 6 and the substitution therefore of the words relevant part (Major Levandian-Bentines desents from this recommendation and (3) by the insertion of the words "where possible immediately after the comme in line 8.
- (n) tart new Standing rule and order to: 98 be smended by the deletion of the figures 80 m line fourand the substitution therefor at the figures 95.

be used in future.

4. Major Cavendish Bentinck, Major Riddell and Captain Schwartze are of the opinion that steps should be taken to amend Standing Rule and Order No. 32 by the delition of the proviso thereto. They realise that this proviso is taken direct from the Instructions under the Royal Sign Janual ona Signut, but they recommend that representations should be made by this Government with a view to the issue of amending Instructions. Thir view is that it is almost impossible to submit any original proposition to the Council which does not, in some measure, reduce or charge some part of the revenue arising within the Colony, or revoke, after or very an existing charge on the revenue, and therefore, in practice, the proviso is frequently ignored. The majority of the Committee, however, recommend that no action be taken. 5. We realise that the amendments which we have proposed are numerous and we therefore recommend that, if our Report is adopted, steps should be taken to reprint

6. Captain Schuartze left the Colony before the proparation of our Report, but he is in general agreement with our recommendations.

the Standing Rul s and Orders as amended.

Your Excellency's obedient servents,
(Signed) W. nARAAGIN (Concirmen).
T.L.A.BAICE.
E.B. NOSTING

Jagrethry L

intend from The for

## FINANCIAL CONTROL IN KENYA

## GOVERNMENT CONCESSION ,

NAIROBI, MAY 11

A semi-constitutional change in Kenya was intimated, by the Governor to, the Legislature to-day. He announced high-tention to provide for the appointment of a standing Finance Committee of the Housed It will be a non-statutory but, permanent body. The European elected members heartly welcome this further sign of cooperation between the Government and the colonists.

It is understood that the committee will be emptygered to assis the Government in the preparation of the Budgefand may be regarded as a halfway measure to meet the demand for greater financial control by the colonists, which was a feature of the recept General Election, It is expected that the members of the Committee will include Government. Furipean, Indian, and Arab representatives with at least one representative of the natives, but the European claim for majority control will not be granted.

The Government announces that the Carter Land Commission report will be issued on Monday, when Sir Philip Cunliffe Lister is expected to make a statement in the House of Commons.

2

NAIROBI,

No .16

وينورون الديم والآران

Jr,

Ne3 14404/31 Ne13141/33 I have the honor to reser to car Schricentral despatch(S) of lot. July, 2.31, one to Dir Jose h
Dyrne's Air Isil Confidential despatch To.61 of
leth May, 1.33, on the subject of the composition
of the Kenya legislative Council, and to state that
careful consideration has been given to the question
of the retention on the Council of the aneral Language
of the Kenya and Ugand. Railways and Forecure top of the
the other heart of council service. The conclusion
has been reached, however, that in the land desirability
of making any change at the moment. They such changes
would entirely upset the coloure estimate. Afficials
and unofficials and angut well give rise of further
demants from the unofficial council, any constitutional advance.

2. The present constitution of the bouncil is as follows:-

THE RT. HOL.

JOR SIR THILIP CURLEFUE-LISTER, 1.0., G.B.E., 1.0., 1.
SECRETARY OF STATE FOR THE COLONIES,
DOWNER STREET, LOEDON, S.W.1.

CZ-101,15.

.ix-Cificio . -...1 ... 1 ed

. C.FITIALS:

Burules: Hected Indian .rab . chanates, regresenting Arica. Interests.

of Medical and Sanitary Jervies.

There is thus an difficult ampority the overnor's votes.

The question of a claim, on additional regresentative of native interests, and of removing the restriction

which it resent contines ouch representatives to invistian milsionaries was discussed with you during jour resent visit to the chony and it was agreed that are againful re resentative should be appointed, and the restriction removed, without firther delay. the necessary Auditional Instructions Sim jamel and Signet will age a state coarse. this connection, I would invite your attention to bir

Juseph jyrne's despate. t.L. ti llt. Johnery, libe. Not

It is great that of orthogon to revise in debig ation of the expectioner wer overmost, last and better ent, and the pirector

It is for consideration whether, siter the forthcoming ceneral election, it would not be desirable Cimina tec to all oint theigh Ali tim pulle, he al., as the charficial Arab to represent Arab interests. . winteent, if hade, would reduce the orficial an or by the Governor's votes. It is not thought that the smallness of the official adjurity is of serious conlong as the majority

cor

for should it happen that all the undifficials combined against the Government, the occasions on which it would be necessary for the issue to be foreed to a decision are likely to be rare.

I have the honour to e,

Sir,

Your most obedient, bundle pervant.

The Late

GOVLE OR BELLEVI

How State question of extention of Sund Hanges K. U. R. of his head of common occurrent faction considered out is considered that no change can be mede at the mount. Presumes action is being taken regarding addl native represent alive o provision for changes in designation of Come falout butte of AMYS. S. State of is framon at the Sheekh Al him Salin should be appointed as arounated unofficial acabrepus entetire. The points raised in fear 2 2 the Reta & Room 247 foreman de potet have been fing mit 23142/04 Kinga. discussed in the might 23/42/24, & The wes To. I have 16/4/24 Grand. To appro of Sheils al. har Tale upund and whenhy he has been April or 2304/14 Pin may be forth CASON THAN Ment for the fair of 12 may in. We shall know near of this when in second the Growing speech on fring len Co. Continue - can't note A meeting of

Preliamentary duestion by My Banfield - No 2 on P. 9 fts

4. S. \ Sym (s.o) (Ty. Plepak of Standing Orders Committee providing for establishment of Standing Finance C'ter and seeks advice)

Standing Finance Catter of hy Count.

Ly. Connet

Note on Standing Finance C'ten

( Has deleted Standing Order 55)

Before Nº 6 arrived, I had asked Th. Magin for - note on the practice in other Cole; No 5 is the result: I had also trus I get into touch with The Burn Fell it the 4/c. but without success (I was a Saturday morning!) Dt. for Armed, on Sinc. Bottomby: duridion.

It would be Kenya! I have a vague hope - receding al about the pass of the order rebular in record theories . that wome day people in Kenya well realize that a Colonial legislative ought not to have "parties" of that unofficials are not meant to be this Mayesty's opposition, and that it is possible to work a borenment without the monthly trucks of to Bother of Parliaments. Anyhow they have thought better of it.

By air mail to Sir f. Byrne ( se trans) 40 1/1/24

8 Governor Byree 119 lost - --- Alo 4. Leporto the appointment of a Standing Annue batter of the ky bounced to carry on the work of the Standing Thrance Contie , take the plus of the Select Contie on Estemalis. ands why of report of Select Contre of hy Council on the appt. of the Contre or suke approach of action taken.

The Committee is nicely balanced 3 Officials, 3 European Elected Membros, I Indian, Notice Repris But a defeat in Committee (in doing underbedy) would not mean a defeat in council, the citie is to be adving only Symposium of midia. numb awat the friends coopies ( see the

mundin on 23259). L the meantine ! ach, a assure lywerum that his action mute with Sife. approved.

So proceed. His wronger to 3 god away from the select on the server with its ook's block of Mus Hairl

west 4 1 2 min

To Kenya, Conf (8 Worsed) Registry Note .
The distall transmitting chies of review Standing Rules Ordered Ray Council is regular 23259/24

was lowell 19 workering 46/34 Mr. Parkinson. Sir G. Tomlinson. Sir C. Bottomley. Sir J. Shuckburgh. Permt. U.S. of S. Parly. U.S. of S. Secretary of State. Kenya. 20th of an FURTHER ACTION.

and to assure you that you action in the matter meets with my approval.

I wave, etc.

(Sgd.) P. CUNLIFFE-LISTER.

KENYA No. 119

CONFICENTIAL



GOVERNMENT HOUSE NAIROB! KENYA

August, 1934.

AUG 1934

O. REGY

Sir,

I have the honour to refer to correspondence terminating with your Confidential telegram No. 18 of the 26th January, 1932, in which you approved the 18018/32 appointment of a Standing Finance Committee, with the following terms of reference:

nTo keep under constant review the economic situation of the Colony in relation to the Government revenues and to report from time to time with a view to enabling Government to take such action as may be necessary to maintain a balance between revenue and expenditure."

That Committee has been functioning 2. regularly since its appointment, and has served the purpose for which it was formed. I have, however, for some time been considering the possibility of appointing a Standing Finance Committee of the Legislative Council which would carry on the work of the Standing Finance Committee, advise me on any financial questions which I might from time to time refer to it. and take the place of the present Select Committee on Estimates As you are aware, that Select Committee consists of four Official Members and all the Unofficial Members, and is an unwieldy body. In my opinion, a smaller Committee would be much more satisfactory in expediting consideration of the Estimates.

THE RIGHT HONOURABLE SIR PHILIP CURLIPPE

6 5

3. A Select Committee of the Council was recently appointed to review the Standing Rules and Orders and I took the opportunity to request them to examine the possibility of devising a workable procedure by which a Standing Finance Committee of the character I had in mind would take the place of the Select Committee in dealing with the Estimates. Copies of their Report, which on this point is unanimous, are appended for your information. he Report was adopted by motion of the Legislative Council on the 25th July, with the following amendment, which is of a formal character:

"Addition of the following sub-diamse to Standing Rule and Order No. 52:

- x) The Committee whell continue to sit until dissolved by the Council or until the dissolved on of Council.
- 4. Subsequent to this, on the 26th July, the following motion was passed by the Council: -

"Be it resolved that, in accordance with Standing Rule and Order No. 51, a Standing Finance Committee be appointed for the gremainder of the life of the present Council for the purpose of considering and reporting upon the annual and supplementary estimates of revenue and expenditure in accordance with the procedure laid down in Standing Rule and Order No. 52, and of advising the Governor upon such other financial questions as His Excellency may from time to time refer to it. The Standing Finance Committee shall consist of:

The Hon. the Colonial Secretary (Chairman);
The Hon. the Treasurer;
The Hon. the Chief Native Commissioner;
Lt. Col. the Hon. Lord Francis Scott;
Major the Hon. F. W. Cavendish-Bentinck;
The Hon. Conway Harvey;
The Hon. J. B. Pandya;
The Hon. R. W. Hemsted."

5. Although the Unofficial Members, both European and Indian, are fully aware that no constitutional significance is to be attached to the appointment of a

Standing Finance Committee under the Standing Rules and Orders, the proposal has been warmly welcomed by them and the press, as an indication of the Government's desire to co-operate with unofficial opinion and to give greater status and permanency to the Committee than it would otherwise have. I should be glad to know if the action which I have taken meets with your approval. The Standing Rules and Orders, as amended by the Report, are being printed, and copies will be forwarded in due course for signification of His Majesty's pleasure in accordance with Article XXIV of the Royal Instructions.

I have the honour to be, Sir,

Your most obedient, humble servant,

BRIGADIER-GENERAL,

REPORT

THE SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL APPOINTED TO CONSIDER THE STANDING RULES AND DRIVERS OF THE LEGISLATIVE COUNCIL

Your Excellency,

27th April, 1934, we were appointed Members of a Select Committee and were instructed to consider the Standing Rules and Orders of the Council and to report on such amendments thereto as may be considered necessary.

- 2. We recommend -
- (a) That Standing Rule and Order No. 2 be deleted and the following substituted therefor -

"Ordinary sessions.

- 2. Ordinary sussions of the Legislative Council shall be held at such time and at such place as the fovernor may by Proclamation appoint. Provided that a session shall be held not later than forty-two days after each General Election.
- (b) That Standing Rule and Order No.3 be deleted and the following substituted therefor -

"Extraordinary sessions.

- 3. The Governor, or in his absence the Member first in order of precedence, may call an Extraordinary Session of Legislative Council at any time that he may deem expedient, six days' notice being given of such session except in cases of urgency when the earliest practicable notice shall be given."
- (a) That Standing Rule and Order No.11 be deleted and the following substituted therefor -

the The President, or Chairman, if the Council is in Council, may at any time order strangers to withing and absent themselves from the Council Chamber and may order the doors of the Council Chamber to be closed."

(d) Thei Standing Sules and Orders was, 16, 17 and 18 be deleted gravitation following substituted therefor 4

"Procedure on prosentation of Patition.

- 16.(1) We restation shell be received which is not proposed which is not proposed which is not proposed with the restaurance of the contract o
- (2) Petitions the P presented and laid on the Table by reamber of the Council, whose duty is shall be to inform the Council that in his opinion the petition complies with the requirements of this Rule.
  - (3) It shall be competent for any Member to move that any petition be not received on the ground that it does not comply with the requirements of this Rule, or on any other ground, and if such motion be accorded and carried the perition and had be received.

It. No speech shall be made when present the a partition other than such remarks be may be necessary to sixth the humber and general description of the petitionous and the substance of the petition.

18. On the presentation of any patition, it shall lie on the Toble, and the Member presenting it may move that it be ordered to be printed or that it be referred to a committee.

(a) That Standing Rule Od Order 10.20 be deleted

Custody of papers

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-3-

20. All we pare lait before the Colmon small be toposite with the Clerk who as it be responsible for the original substitution of parts to the memory on a transportion of parts to a memory on a transportion of parts to the Clerk, be produced before Council it on member as desires."

(f) That standing Auls as Order As. 43 by spanish by renumbering sub-Aulss (viii), (ix) and (x) as sub-Rules (ix), (x) and (xi) and by the insertion of the following a sub-Auls (viii) -

"(viii) With the love of the President, any Member may thany time faring the course of a leb to make the the the question be now put.

No leb to an this mation of all to all year, and if such motion be service, the lebets on all, subject to the right of reply provided for this full of this full.

Subject to the right of reply provided for this full of this full.

(g) That Straing calls of Oriers assol to 63 be still. A. the lelication adaptituted therefor

"Standing committees. 51. The Council may, an aution made of quostion put applied to the first Committees, in. the privileges of the 65 shell, mutation mutandles, apply to such Committees. Priviled that when a Standing Committees, appointed in accordance with their visions of this Rul , is requested by the development to consider and report to him upon any matter, the report of such Committees in such matter shell in the laif on the Table unless the Governor so directs.

52. When a Standing Completes on Finance is appointed the following procedure shall be adopted -- A

- (i) not less than a year days from the data of which the draft Estimates of Rayanus and Expanditure for the ensuing year are laid on the Puble of the Council the Colonial Secretary or such other Member of the Council as the Governor may appoint, shall have that the draft estimates be referred to the Committee:
- (ii) on the motion to refer the Arcft Estimates to the Committee, any dember shall have the right to discuss them in principle and in detail;
- (iii) when the motion referred to in sub-Rule (iii) has been adopted, any Member of the Council shall have the right to appear and be heard before the Committee at a place and time to be fixed by the Committee. Provided that any such Member shall have given provious notice to the Clark of his intention to appear before the Committee and of the particular points on which he wishes to give ovilence;
  - (iv) the Report of the Committee shall be submitted to the Governor and shall be laid on the Truncil;
  - (v) the Colonial Secretary, or such other Member as the covernor may appoint, shall give four clear days' notice of

his intention to move the siption of the Report and shall at the same time give notice of way amendments to the Report which he propages to move.

- (wi) any Mamber of the Council shall have the right to submit written notice of any emahamante to the Report ships he. Provided that any such notice shall be tutnited to the Clark at latest and clark day parors the firy which, under sub-Rule (v)/hear bean appointed as the Jay on which the slaption of the Report will be moved:
- then those of which notice has been given under sub-Rules (v) or (vi) of this Rule shill be moved;
- (viti) not less than one clear day after the date on which any Schelule of Additional Privision is laid on the Table, the Colonial Secretary, of such other Mamber as the Governor may appoint, shall move that the said Schedule be referred to the Committee;
  - (ix) the Report of the Committee on each such Schelule shall be laid on the Table of the Council and the Colonial Secretary, or such other Member as the Covernor may appoint, shall give notice of motion for its adoption with such amendments, if any, as he proposes to move.

How appointed

motion made and question put and shall of st of such wembers as may be chosen by the Council or by Committee of the whole Council.

May be appointed at appointed at appointed at appointed at a pointed a

. 54. A State Committee mry be appointed by the Council at any stage of its producings or when in Committee of the whole Council.

Members may be appointed while Council adjourned.

Committee not having been chosen before the close of a session it shall be competent for the devernor to select wembers of the Council to serve on the Select Committee so appointed on motion.

Chairman.

56. At the time when the Select Committee is appointed a Chairman thereof shall be named. The Governor may, from time to time, in case of the death or unavoidable absence of a member, appoint another Member of the Council to take the place of such memoer on the Select Committee.

Quorum.

10. In beance of particular instructions as to the number of "ambers of a Select Committee who shall form a quorum, the following provisions shall apply -

Two members shall form a quarum, if the Select Committee consists of not more than five members; three, if the Select Committee consists of six or seven members; four, if the Select Committee consists of eight or nine members; and five, if the Select Committee consists of ten or more Members.

Minimum mambarahip 58. Every Select Committee shall consist of etcleast three Mambers of the Council.

Sittings \
when \
Council
adjourned.

59. A Select Committee may continue to sit although the Council may be adjourned, and it shall not be dissolved until the presentation to the Council of its report or until dissolved by the Council.

Power to call avidence ato.

60. All Solect Committees shall never power, which shall no exercised by the Chairman, to call any Head of Department or any Official Member of the Legislative Council to give evidence or may invite him to take part in their deliberations, but no person so called or invited shall possess a vote.

Report to be signed by Chairman and "subers. be signed by the Chipmen thereof or in his absence by the member first in order of pracedence only of every member of the Select Committee who agrees with the terms of the report, and shell be laid on the Table.

Minority Raports. Any Member or members lissenting from the opinion of a majority of a Select Committee may put in a written statement of the reasons for such dissent and such statements shall, if presented in time, be appended to the Report of the Select Committee.

Services of Clerks.

- 63. All Select Committees shall, as for as may be, have the services of the Clark of the Council."
- (h) That Standing Rule and Order No.64 be amended -
  - (i) by the deletion of the word "fourteen" in the first line thereof and the substitution therefor of the word "twelve":
  - (ii) by the deletion of the word "whose" in line six and the substitution therefor of the worls "relevent parties; and

immediately after the common in line eight.

Major Cerenzieh Bentinck dissents from the proposed emenument in it is that he considers that unless any such section be set out in its intiraty it may often be difficult for embers to sparaciety, the precise significance of the proposed alteration or emenument).

- Major Cayendish Bentinck, kejan Ridgell end tracial decompation has at the ration that stars sired! he destates out to Seath rein but the muthest bases of the delated of the provise theretain they reclied thet this provise is taken officet from the Instructions under the Royal Sign Minual en! Signat, but they recommend that representations should be mede by this 3 overnment with a view to the feate of amending Instructions. Their view is that it is almost impossible to submit any priginal proposition to the Council which does not in some measure, reduce or charge some part of the revenue erising within the Colony, or revoke alter or vary an existing charge on the revenue, and therefore, in practice, the proviso is frequently ignored; nor, in their opinion, does the satisfies of a provise thus worded conform to the principles underlying representation on a Degislative Council by maring of Blodted Members. The mejority of the Committee in however, recommen is that no action be taken.
- 4. We replied that the amendments which we have proposed are numerous and we therefore recommend that, if our Report is sopted, steps should be taken to reprint the Standing dules and Orders as amended. We suggest that an index might with advantage be appended.
- 5. Captain Schwartze laft the Colony before the preparation of our Report but he is in general agreement with our recommonistions.

We have the honour to be.
Your Excellency's obedient dervants,

(SIGNED) W. HARRAGIN (CHAIRMAN)

(SIGNED) T.D.H.BRUCE (MEMBER)

(SIGNED) E.B.HOSKING (MANBER)

(SIGNED) F. CAVENDISH BENTINCK (MEMBIR)

(ALBUR) .G.H.RIDJELL (MALEL)

(SIGNAD), N.S.MANGAT (NEMBER)

(SIGNID) F. F. PANDYA (MINBER)

SD. J.F.G. TROUGHTON

SECRETARY

Neirobi, 19th July, 1934.

Mr. Fruston 10 Mr. Hord 16 Mr. Parkinson Mail B. Kotada Sir G. Tomlinson N Senne X Sir C. Bottomley. 16 Sir J. Shuckburgh Permt. U.S. of S. Parly. U.S. of S. Secretary of State. Lout! DRAFT. Thy dear Dyme, Bry few Si Joseph Bym you letter of GCTIF. KRE. CB. the 5th of July about the new Standing Order for Regulation Council reached me only - four home before you telegram No 164 of July 1214 not wish is to purum the point with The Denn Fell. The endow collecte from the Standing Outer of the Home of Common may be of whent he the time ownlable, you have not becomed any other سوالها لنا

particle pout his among the Francis , Cycle Court . Hong Kong a Hills Howard the Standing France Comme whole at the sufficial when a New William والما الماليل المسلمة الماليل الماليل for willing a good out him they shall be said and underland that the stratule is nowally honogeneous. Jana Jeno wie we In craision of the Standing

Jania Janes Want Land of the Standing on toutes and from toutes and from toutes on the standing of the Standing on the Standing of the Standin

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(Signed) W. C. BOTTOMLEY.

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es in l'algoritation de la company de la La company de la company d B

Mail have power to discharge members from time to time, for non-attendance or at their own request, and to appoint others in substitution for those discharged. Provided that, for the consideration of all public bills relating explusively to Pales and Memouthabire, the committee shall be so constituted as to comprise all members sitting for constituencies in Vales and Memouthabire. The constituencies in Vales and Memouthabire. The constituencies in Vales and Memouthabire. The constituencies in Vales and Memouthabire to add not less than ten nor more than thirtyrive members to a standing constitue in respect of my bill referred to it, to serve on the constitue during the consideration of such bill, and in adding such members shall have regard to their qualifications. Provided that this exter shall not apply to the standing constitue on Scottish bills.



Telegram from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 14th July, 1934.

Received 10.28.am.14th July.

No.164

Reference to my air mail letter personal July 5th
yesterday in Executive Council with the approval of the
mosficial members I deleted Standing Order No.55 and
requested Councittee to reassemble and reconsider certain
other orders which in my opinion conflicted with
parliamentary practices.

Byrne.

of Guans The st shall be a Standing Cottle on Trundad Imance of which the Col der an quarries and the ORW. shall it exofence who bees and all the alm cont unofficial members of the isunced doil he members of the standing the the lot on Stall a noffer Lawman think only the inofferent members shall house volle. at the sidning fire gelowith namhurs the Breakent . Lad anomal the following danding isminica, (a) a france tommetter concessing france General Charman! Collector of institute Portector of Lungants Lix eluted members Two officed atministed members Jour unofficial order sie. the you way from time to time B. Hondura askant a Standing Imanual Cotter the composed of all the officeal. Unofferal member John Connel

EAST AFRICA

My dear Settomley,

the is always to be a standard tope with membered difficulties and unfortunately my member the difficulty has been upenented to the just before the min Wall Chases, hence this hastily draffed letter.

all decided some fine also with the warm all coval of all elected sensers to all clut a standing Finance. Sommittee of separative or soll. Second this sommittee will be laid, from time to time, the latest all restation of our revenue position and it will be acced to advise on any important projonals for the expediture of habits money contains that approved in the latinates. They will also report on the schedule of floors carrants.

At the name the it occurred to us all that we could no longer anatain the present absurd system of dealing with the Estimates. Under this system all elected members sit on the Select Committee and, now that the Indians are back again, this means endless waste of time and money. We were anxious and with the consent of the elected members to change the proceedure and in the first instance

send....

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send the Estimates after they have been laid on the Table to the Standing Finance Committee.

It happened that an ad hoc Select Committee had already been appointed to revise our Standing Rules and Crders and this Committee was asked to explore the possibility of introducing the new procedure outlined above.

I have just this moment received an advance copy of their Report from which you will see that it contains an unanimous recommendation regarding the above suggested method of dealing with the Budget.

The point on which I would ask for urgent advice from the Colonial Office is in connection with new Rule 55.

I personally have never before seen in any Standing Rules and Orders a rule defining the political parties to be represented on a Committee and I want to know how I stand in regard to this matter of parliamentary practice before I commit Government to full agreement with the Report.

The European Elected members will press strongly for the insertion of this rule which they think will make their position safer. The Indian view is recorded in the Report and as regards the present members, who are rather fighting amongst themselves, I had a meeting with them and told them GOYERNMENT HOUSE, KENYA, EAST AFRICA

8.

the position and informed them that they had only one member - Mr. Pandya - who was suitable to represent their interests on a Committee of this nature. I think the responsible Indian community on this occasion will - of course with some protest - fall in with my views, but the position will be rendered more difficult if they find that the Government has bound itself by Standing Order to a similar constitution in the future.

Could you get an opinion from the House of Commons (you remember Mr. Brian Fell who advised us during the 1927. Colonial Office Conference) as to whether it is in accordance with usual parliamentary practice to adopt a Standing Rule of this nature? If the advise is against adoption it would enable me to accept the remainder of the otherwise useful report without the usual turmoil which would result from disallowance based on political grounds only.

Council meets on the 24th and if you could send me a cable as soon as possible after you receive this I would be very grateful.

Sir W.C. Bottomley. K.C.M.G., C.B., O.B.E The Colonial Office 12

How in famel duft - But yet signed from the select committee of the legislative for affine and the select committee of the legislative for affine the standing rules "IL ALOUNGIL ALOUNGIL COUNCIL STANDING RULES "IL

Your Excellency.

Ly motion of the Legislative Council on the 27th April, 1934, we were appointed Members of a Select Committee and were instructed to consider the Standing Lules and Orders of the Council and to report on such amendments thereto as may be considered necessary

## "e recommend:-

- (a) That Standing Jule and Order Yo: 2 be amended by the deletion of the words "one month" in line three and the substitution therefor of the words "forty-two days";
- (b) that Standing Rule and Order No. Il be amended by the deletion of the words commencing with estrengers in line two down to the end of the Rule and the substitution therefor of the words any stranger or strangers to withdraw and absint themselves from the Council Chamber and may order the doors of the Council Chamber to be closed
- (c) that stending males and orders Tos. 10, 17 and 18 be repeated and replaced by the following: -
  - (1). (1) No petition shall be received which is not properly and respectfully worded
    - (2) Fittings shall to presented and lord on the Table by a number of the Council, whose cuty it shall be to inform the Council that in his opinion the petition complies with the requirements of this Aule
    - (3) It shall be competent for any member to move that any petition be not received on the ground that it does not comply with the requirements of this Rule, or any other ground, and if such motion be seconded and carried the petition shall not be received.
  - 17. To speach shall be made when presenting a petition beyond such remarks as may be notessary to state the number and general discription of the petitioners and the substance of the petition.
  - 18. Potitions on being received may be read or ordered to be printed, or, if relating to a matter before a committee, ordered to be referred to such committee for consideration and reports.

1/2

(d) that Standing Rule and order No. 20 be amended by the deletion of the last sentence and the substitution therefor of the following:

of the such papers shall at all reasonable times of boopen to the inspection and perusal of members and snall, on notice being liven to the Glerk, desires.

- (c) that Standing Rule and order to. 43 becamended by renumbering sub-rules (viii), (ix) and (x) as sub-rules (ix), (x) and (xi) and by the inscrtion of the following as sub-rule (viii):
  - (viii) Tith the leave of the President, any hamber may at any time during the course of a debate move that the question of now put. No debate on this motion shall be allowed, and, if it be carried the debate shall coass, except that the right of reply provided for in sub-ful; (vii) shall be preserved, and the question shall be put.
- (f) that Standing Rule and Order No. 54 be renumbered as Standing Rule and Order No. 70, that all following Standing Rules and Orders be consequentially renumbered and that the following new Rules be inserted as Rules 54 65: -

## STANDING COMMITTEE ON FINANCE.

- 54. The Council may ouring the second Session after the general election held in 1934 and during the first Session after any subsequent general election by motion made and question put appoint a Standing Committee on Finance (hereinafter in these hules referred to as "the Committee").
  - (major Cavendish-Bentinck, major middell and Captain Schwartz consider that the word "may" in the first line of this draft Runshould be deleted and the word "shall substituted therefor).
- 55. The Committee shall consist of the following

Three European Blooted Numbers (of whom one shall Three European Blooted Numbers

One Indian Blacked member.

One Nominated Unofficial Member representing the Interests of the African Community.

(Mr. Pangat and Mr. Pandya consider that the above does not provide adequate representation for Indian Interests. They consider the ratio of three Buropean Risets ambers to one Indian Elected winter to be inconsistent with the lact that there are on council elected. Propen Risets Newbers and the Indian Elected Sembers.

- (a) Three official members
  Three Luropean Meeted members;
  Two Indian Elected members;
  One Nominated Unofficial member
  representing Native Interests.
- (b) Targe Official Members; Two European Elected Members; One Indian Tleeted Member; One Nominated Inofficial Member representing Native Interests
- (c) Four Official Mombers;
  Four Duropean Elected Members;
  Two Indian Elected Members;
  One Nominated Unofficial Amber representing Pative Interests:
- (d) Two Official Members;
  Two Buropean Elected Members;
  One Indian Elected Amber;
  One Nominated Unofficial Member
  representing Native Interests.).
- 50. The Governor may, from time to time, in case of the death or unevoidable absence of a member of the Committee appoint another member of the Committee to take the place of such member on the Committee.
- 57. Five almosts of the Committee shall form a quorum.
- 58. The draft istimates of invente and impenditure shall, before the close of the year immediately preceding the year to much they relate, be laid on the Table of the Council.
- 59. Not less then seven days from the date on which the said draft astimates are laid, the Golonial Scorttery, or such other dember of the Gouncil as the lovemor may appoint, saeli move that the committee arcft Estimates be referred.
- 60. On the motion to refer the draft Estimates to the Committee, every Kember shall have the right to discuss them in principle and in detail
- 61. In the motion referred to in Rule
  60 has been adopted, any Mimber of the Council
  shall have the right to appear and be heard
  before the Committee at a place and time to
  be fixed by the Committee; provided that any
  such aember shall have given previous notice
  to the Clerk of his intention to appear
  before the Committee and of the particular
  points on which he wishes to give evidence.

24 (200)

- 62. The Apport of the Committee shall be submitted to the Covernor and shall be late on the Mable of the Council
- es the Governor mry appoint, shall give four the adoption of the report and shall give four the adoption of the report and shall give notice of my amendments to the Report which he proposes to move.
  - f. Any Member of the Council shall have the right to submit written notice of any amendments to the Report which he proposes to move: Provided that any such notice shall be submitted to the Clork at least on clear day before the day which under Rule 63 has been of the Report will be moved.
  - 05. To amendments to the Report, other than those of which notice has been given under the two preceding fulls, shall be moved.
- oo. At any time after the motion for the adoption of the report has been accepted the necessary Appropriation Bill sagif be passed through all its stages without debate.
- b7. All Sendulus of Additional Provision compiled in accordance with Colonial Accordance with Colonial Accordance with Colonial Accordance with Colonial Accordance with the Same, shall be inlead on the Table of the Council.
- ob. Not less then on clear day from the date on which any such Schedule is laid, the Colonial Secretary, or such other member as the Covernor may appoint, shall move that the said Schedule be referred to the Committee.
- 69. The Report of the Committee on each such Schedule shall be laid on the Table of the Council and the Colonial Secretary, or such other Member as the Governor may appoint, shall give notice of motion for its adoption with such amendments, if any, as he proposes
- (g) that new Standing Rule and order "o. 80 be amended by (1) the deletion of the word fourt in in the first line thereof and the substitution of the word twelve; (2) the deletion of the word whole in line 6 and the substitution therefor of the words relevant part (Major Covencies-Bentinck dissents from this recommendation); and (5) by the insertion of the words where possible immediately after the commendation 8.
- (n) that have Standing rule and order No. 98 be smended by the Gellstion of the figures 80 in line four and the substitution therefor of the figures 90.

3. We consider that the custom of addressing the President as "Your Excellency" is not consonent with Standing Bala and Order No. 43 (i). In our opinion that correct form of address is "Mr. President" or "Mr. Chairman as the case are to, and we recommend that this form should be used in future.

depter Cavendies Bentinch, he for Middell and Captein Schwertze are of the opinion that steps should be taken to amond Standing Rule and Order No. 32 by the delition of the provise thereto. They realise that this provise is taken direct from the Instructions under the Royal Sign Henuel and Signet, but they recommend that representations should be made by this Government with a view to the issue of amonding Instructions. Their view is that it is almost impossible to submit any original proposition to the Council which does not, in some measure, reduce or charge some part of the revenue arising within the Golony, ar revoke, after or vary in wristing charge on the revenue, and therefore, in practice, the provise is frequently ignored. The majority of the Committee, however, recommend that no action be taken.

proposed ere numerous and we therefore recommend that, it our Report is adopted, steps should be taken to reprint the Standing Rules and Orders as amended.

 Emptein Schmitted loft the Colomy before the properation of our Report, but he is in general agreement with our recommendations.

We neve the monour to be.

Your excellency a obscient servents.

(Stened) Whiteless (confirmen).

J.B. W. KOWA

istant from The time to May in

FINANCIAL CONTROL IN KENYA

## GOVERNMENT CONCESSION

FROM OUR CORRESPONDENT

NAIROBI, May 11
A semi-constitutional change in Kenya
was intimated by the Governor to the
Legislature to-day. He announced his intention to provide for theappointment of a
standing Finance Committee of the House.
It will be a non-statutory but permanent
body. The European elected members
heartily welcome this further sign of copoeration between the Government and

It is understood that the Committee willbe empowered to assist the Government
in the preparation of the Budget and may
be regarded as a halfway measure to meet
the demand for greater financial control
by the colonists, which was a feature of
the recent General Election. It is expected
that the members of the Committee will
include Government, European, Indian,
and Arab representatives with at least one
expresentative of the natives, but the
European claim for majority control will
not be granted.

the colonists

The Government announces that the Carter Land Commission report will be issued on Monday, when Sir Philip Cunliffe-Lister is expected to make a statement in the House of Commons.



No. 7/

## GOVERNMENT HOUSE NATROBI. KENYA

1220., 1.04.

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No3 14404/31 No13198/33 Lesseton. 1) of loth only, in 3c, and for the accept.

Letholog, i have a treative base 1, you be control that careful considerations are also in the acceptance of the treative base 1, you be control to the careful considerations are also in the acceptance of the length and conductable and include the acceptance of t

as follows:-

THE RT. HOD.

Elizabeth Company Company Company

Ex-Officio	A	11
Nominated	<u> </u>	9
FICIALS:	•	

UNOFFICIALS:

European Elected 11
Indian 5
Arab 1 1
Nominated, representing
African interests, 1

There is thus an official majority of two not including the Governor's votes.

The question of appointing an additional represent-

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ative of native interests, and of removing the restriction which at present confines such representatives to Christian missionaries was discussed with you during your recent visit to the Colony and it was agreed that an additional representative should be appointed, and the restriction removed, without further delay. It is presumed that the necessary Additional Instructions under the Royal Sign Manual and Signet will issue in due course. In this connection, I would invite your attention to Sir Joseph Byrne's despatch No.26 of 11th January, 1934. It is presumed that opportunity will be taken to provide for the changes in designation of the Commissioner for Local Government, Lands and Settlement, and the Director

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for the changes in designation of the Commissioner for Local Government, Lands and Settlement, and the Director of Medical and Sanitary Servies.

3. It is for consideration whether, after the forthcoming general election, it would not be desirable to appoint Sheikh Ali bin Salim, K.B.E., as the Mominated Unofficial Arab to represent Arab interests. This appointment, if made, would reduce the official majority to the Governor's votes. It is not thought that the lines of the official majority is of serious consequence so long as the majority is of serious consequence so long as the majority is of serious consequence.

AIT Sort

for should it happen that all the unofficials compined, against the Government, the occasions on which it would be necessary for the issue to be forced to a decision are likely to be rare.

I have the honour to be

Your most obedient, humble servant,

bon lalu ore

GOVERNOR'S DEPUTY.