

EAST AFR. PROT.
No. 3232 ⁰⁵/₀₆

C.O.
3232
REC'D
REG 29 JAN '05

Serial No.
658.

(Subject.)

1905

Dec 13.

Forestry Ordinance 1905
No. 11

Last previous Paper.

To -

(Minutes.) (Spare copies to library)

W. Rieby

H. J. R.
27/1

Mr. Andrew

of the ... no objection to this ...

... by ...

... 27/1

...

...

...

...

Subsequent Paper

35525

C.O. 3232

Commissioner's Office

REC 29 JAN 26

Mombasa,

73

December 15th 1905

EAST AFRICA PROTECTORATE.

No. 658

(Incl. 2.)

Sir,

I have the honour to transmit herewith eight copies of the East Africa Forestry Ordinance 1905 which I caused to be published in the Official Gazette of December 1st for the reasons contained in the enclosed letter from the Crown Advocate.

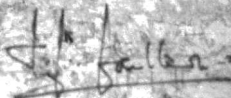
8 copies
Crown Advocate

I have the honour to be,

Sir,

Your most obedient,

Humble servant,



Principal Secretary of State

for the Colonies,

Downing Street,

LONDON.

C. O.
3232
REC'D
S. O. W. J. C. H. N.
REG. 29 JAN 06

CHIEF ADVOCATE

Mombasa

November 1905

75-29

Sir,

With reference to the "Conservator of Forests" No. 33 requesting that offences against the "East Africa Forestry Regulations 1902" and the rules thereunder should be made cognizable to the Police, I have the honour to inform you that in my opinion it would be inadvisable to give the Police the power to arrest without a warrant persons whom they might suspect of having committed offences against these Regulations and rules. The more serious of those offences amount to theft and with regard to those offences the Police have already under the Indian Penal Code the power to arrest without warrant. Other offences under the Regulations are not of such a nature as, in my opinion, should be made cognizable to Police.

I agree however that as the Regulations now stand it must be difficult, if not impossible, for the Conservator of Forests and the Police to enforce the provisions of the regulations in question, and I would suggest that the regulations should be amended so as to give the Police the power to seize and take before a Magistrate any property which they may have reason to believe has been taken from a forest area in contravention of the Regulations or any instrument or thing used by any person in committing a breach of these Regulations.

I have communicated with the Conservator of Forests

Acting Commissioner,

MOMBASA.

on this subject and he has informed me that if the Police were given such additional power, he would have much less difficulty in enforcing the provisions of the Regulations.

I have drafted, and herewith send for your approval an Ordinance in accordance with my suggestions.

I have no...

Sd/-R. H. Combe,

CROWN ADVOCATE,