

DOMESTIC

EAST AFR. PROT

C. O.
9272

Recd
MAR 05

9272

3 When an officer on leave, whether he is entitled to first or second class passage, is directed to visit the medical adviser, the fee is paid by the Govt.

4 This letter applies to all officers appointed to the ~~East Africa Protectorate~~ ~~Kenya~~ ~~British East Africa~~ ~~Somaland~~

(etc)

Lit

R 10

Office of Individual

audit

1909

16 dich

Next Previous Paper.

Financial Powers of Ry Officers

This copy of letter of Local auditor asks if it is intended that they should be entrusted with such exceptional powers as those referred to

W. Read

The only document that can be found defining the powers, financial and other, of the General Manager (his heads of Dept^s) is the memo. on the marked with a green slip in the annexed volume of F.O. correspondence. This memo. was sent to W. Currie in the letter of the 26th of July 1903 offering him the appointment of Manager of the Uganda Railway.

*Recd 12 apt
Copy sent to Mr Currie 5 pm 11/7/03*

Next subsequent Paper

1950

considers the heading is however the memo states (page 2) that when it was first issued it was intended to apply to the Uganda Railway and that it was subsequently altered to apply to the Kenya and Somaliland Railways.

authorities sanctioned by competent authority. Under the heading Powers, the Manager is given, in certain definite respects, more liberally than would seem to be implied by this general rule, but it is expressly stated that should there be urgent reasons for exceeding any limitations of the Manager's powers, confirmation by H.M. Commr should be promptly asked for. The powers specifically given do not include those referred to in par. 2 (a) & in par. 3 of the letter of the Acting Local Auditor. Power is given to write off book losses of stores due to depreciation. This does not quite cover the power exercised by the Chief Accountant as described in par. 2 (b) of the Acting Local Auditor's letter. The memo also allows the Manager to appoint, promote, dismiss, and accept resignations of subordinates within the amount and scale sanctioned, but none is to be dismissed without being given opportunity to meet the charge brought against him. This again does

not appear quite to cover the powers of the Heads of Dept. described in par. 2 (c) of Mr. Barnes's letter.

281

We must be very chary of interfering with any system actually in force which is working well, simply because it is different from the provisions of the Col. Regns. But we must know exactly what the system is, and on what grounds its difference from that prescribed for the Crown Colonies is to be justified.

Send to the Col a copy of this letter & its enclosure, with observations in the sense of this memo, & ask him to furnish a report upon the financial powers of the Manager of the Heads of Dept. of the Railway, such report to deal specifically with the four points raised by the Acting Local Auditor, & inform a.o. what we are doing.

StB
April 3.

at once.
H. J. R.
3/11

EXCHEQUER AND AUDIT DEPARTMENT,

VICTORIA EMBANKMENT,

282

No. 339.

LONDON, E.C.

16th March, 1909.

In any further correspondence on this subject,
the above number should be quoted,
and
the communication should be
addressed to
"The Comptroller and Auditor General."

20/1/09

C. O.
9272
REC'D
MAR 17 1909

Sir,

I am directed by the Comptroller and Auditor General to enclose, for the information of the Earl of Crewe, a copy of a letter received from the Local Auditor of the East Africa Protectorate on the subject of the financial administration of the Uganda Railway and to enquire whether it is in accordance with His Lordship's intentions that the principal Officers of the Railway should be entrusted with such exceptional powers as those therein referred to.

I have the honour to be,

Sir,

Your obedient Servant,

C. W. P. Collops

The Under Secretary of State,

COLONIAL OFFICE.

COPY.

C. O. 7
9272

No: U.R. 1/1/51.

Audit Office,
Mombasa,

RECEIVED MAR 08

12th January, 1909. 283

Sir,

I have the honor to report that on the occasion of a recent visit to the Branch Audit Office at Nairobi, it was ascertained that the principal officers of the Uganda Railway have vested in them certain powers which are not ordinarily entrusted to Heads of Departments under the Colonial Office Regulations.

2. As instances of the kind referred to I venture to cite the following:-

a. The Manager is authorised to sanction Expenditure in excess of appropriations in the Estimates, up to a limit of 5%, subject to a maximum in any one case of Rs200. Rule No: 304 of the Regulations for His Majesty's Colonial Service directs that the authority of the Secretary of State will be required for defraying any excess of Expenditure beyond the amount provided under any sub-head in the Estimates.

b. The Chief Accountant is empowered to write off, subject to quarterly record at the Uganda Railway Official Meeting, any sum not exceeding Rs.10 in each case, which from any cause may have become irrecoverable when he is satisfied that Government would, on reference, sanction such a course. This appears to be opposed to Rule 311 of the Regulations for His Majesty's Colonial Service.

c. The Heads of the various Railway Departments are authorised to grant a month's pay in lieu of notice to locally engaged employees whose services are dispensed with. Such payments, being of a special character, would in the ordinary course be reported to Colonial Office for covering sanction.

3. It has been noticed, further that under the Estimate Sub-head V.7 ("New Minor Works") of Abstract A, "Maintenance of Way and Works" the provision of a Refreshment Room at Voi Station, at an estimated cost of Rs.21,216.32, was sanctioned in August last under the authority of the Manager. I am in doubt whether the description "Minor Work" was intended to cover an undertaking of this importance.

4. In reply to a verbal enquiry the Chief Accountant has stated that he cannot refer me to any general authority from the Colonial Office for the somewhat exceptional position at present occupied by the Uganda Railway, and, as the Railway is now, so far as I am aware, merely a Department of the Protectorate Service, the natural inference, in the absence of special information to the contrary, is that the rules laid down for the Colonial Service generally are applicable to it.

5. I therefore beg to submit, for the decision of the Comptroller and Auditor General, whether it is desirable to refer this question to the Secretary of State, with a view to securing His Lordship's sanction for a position which appears to be at present not covered by the Regulations.

I have the honour to be,
 Sir,
 Your obedient servant,
 (Sd) J.A. BARNES.
 Acting Local Auditor.

The Comptroller and Auditor General,
 LONDON.

CD
R 8
D 10
LSC

A.O./9272/1909.

East Africa Protectorate.

DRAFT.

EAST AFRICA PROTECTORATE

89
Governor,

Downing Street,
12 April, 1909.

Sir J. Hayes Sadler, K.C.M.G., C.B.

Recd 1909/3

HS

MINUTE.

Mr. Butler Sir,

Mr. Read.

Mr. Just.

Mr. Antrobus.

Mr. Cox.

Sir C. Lucas.

Sir J. Hopwood.

Col. Seely.

The Earl of Crewe.

I have the honour to transmit to you a copy of a letter with its enclosure, from the Comptroller and Auditor General, relating to the financial power of the Manager of the Uganda Railway and of the Heads of Departments of the Railway.

12 March, 1909.

The only instructions of which I am aware defining the powers, financial and other, of the Manager of the Railway and his Heads of Departments, is the Memorandum of which a copy is enclosed, which was sent to Mr Currie in

Memorandum
sent with press slip
recomparing volume
of 170. with for leave.
copy now attached

12th
15th
1909

2 d/16

from the 70.

in the letter of the 28th of July 1903, ~~from~~
 the Foreign Office, offering him his present
 appointment. It is stated ^{in the 3rd para-} ~~on page 2~~ of the
 Memorandum, that expenditure must only be
 incurred on estimates previously sanctioned
 by competent authority. Under the heading
 "Powers" the Manager is given, in certain
 definite respects, more liberty than would
 seem to be implied by this general rule,
 but it is expressly stated that should
 there be urgent reasons for exceeding any
 limitations of the Manager's powers, con-
 firmation by the Commissioner ^{must} should be
 promptly asked for. The powers specifically
 given do not include those referred to in
 paragraph 2 a. and in paragraph 3 of the
 letter from Mr J. A. Barnes, the Acting Local
 Auditor, of the 12th January, a copy of which
 forms the sub-enclosure to this despatch.
 Power is given in the Memorandum to write

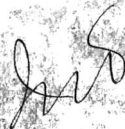
off

off book losses of stores due to depreciation.
 This does not quite cover the power exercised
 by the Chief Accountant as described in para-
 graph 2 b. of the Acting Local Auditor's letter.
 The Memorandum also allows the Manager to
 appoint, promote, dismiss and accept resigna-
 tions of subordinates within the amount and
 scale sanctioned. This again does not
 appear quite to cover the power of the Heads
 of Departments described in paragraph 2 c. of
 Mr Barnes' letter.

3. I am reluctant to interfere with
 any system actually in force which is working
 well, ^{in the sole ground that} ~~simply~~ because it is not altogether in
 conformity with the provisions of the Colonial
 Regulations. But it is desirable that I should
 know exactly what system is in force locally,
 and on what grounds its difference from that
 prescribed for the Crown Colonies ^{is} to be
 justified. I have therefore to request that
 you will furnish me with a ^{general} report upon the
 financial

A.O./9272/1909.

East Africa Protectorate.


DRAFT.

The Comptroller & Auditor General.

Downing Street,

12 April, 1909.

MINUTE.

Mr. Butler Sir,

Mr. Raad *afm*

Mr. Just.

Mr. Antrobus.

Mr. Cox.

Sir C. Lucas.

Sir F. Hopwood.

Col. Seely.

The Earl of Crewe.

I am directed by the Earl of Crewe
 to acknowledge the receipt of your letter of
 the 11th of March, relating to the financial
 administration of the Uganda Railway, and to
 transmit to you for your information, a copy
 of a despatch which has been addressed to the
 Governor of the East Africa Protectorate on
 the subject.

I am, etc.,

(Sd.)

(Signed) H. BERTRAM COX.

*to Govt 18. 12. 09.
 aff. Kerewith*

2/6

financial powers of the Manager of the Railway, and
 of the Heads of the Departments of the Railway,
 generally, and that in the course of the
 report you will deal specifically with
 the four points raised in Mr Barnes' letter
 of the 12th of January.

I have, etc.,

(Sd.) CREWE.

attach to audit
92/2
98AP

MEMORANDUM RESPECTING THE MANAGEMENT OF OPEN LINE

Subject to the provisions of the Railways Act and to the General Rules and Regulations approved by the Secretary of State for Foreign Affairs and to such other subsidiary rules or limitations as are here laid down or may from time to time be issued, and subject to the authority of His Majesty's Railway Commissioner, the Manager of the Railway shall have full powers in the executive management of the Railway.

The departments into which the Working and Maintenance is divided are:-

1. Management.
2. Traffic
3. Locomotive ^{and} Stores.
4. Engineering.
5. Accounts.

each under a head official, and it is part of the duties of the Manager to harmonize the working of these departments in order to develop traffic and to handle it at a minimum of expense, and to the satisfaction of the public.

Expenditure must only be incurred on Estimates previously sanctioned by competent authority. For operating the railway there will be an annual Working and Maintenance Estimate as approved by the Treasury.

For additional capital works provision must, as a rule, be made beforehand in the annual allotment of funds, and estimates prepared and sanctioned before the works are put in hand. In urgent cases the sanction of the Secretary of State may be immediately sought, but without sanction nothing should be undertaken.

Rates and Fares There may be raised by the Manager within the maximum limit sanctioned by the Secretary of State provided that no transport be done at less than cost price. Where considerable alterations are proposed the Manager should seek the advice and approval of the Local Government.

The Manager must keep in close touch with the heads of departments and Official Meetings should be held not less frequently than once monthly at which all matters connected with the working of the railway should be freely discussed and the conclusions arrived at recorded; members differing from the majority to have the right of having their dissent recorded.

Staff The Staff to be divided into two portions, viz:- those appointed by the Secretary of State and those appointed locally. The former can only be discharged or diminished by the Secretary of State or by some authority to whom he may delegate the power of doing so. The latter will as a rule be appointed by the Manager and discharged by the same authority.

All appointments, promotions, or dismissals should be considered and recorded at official meetings.

Responsibility Each head of Department will be responsible for the efficient working of his own department and the continuity of the chain of responsibility must be preserved. All orders therefore must be passed in proper sequence from the head to the person immediately concerned. In cases of emergency where it may not be possible to wait for instructions, to be thus transmitted, a superior giving orders to an inferior out of course must send a copy to the intermediate official.

Powers The Manager may enter into contracts for specific sanctioned works up to amount of estimate; may write off book losses of stores due to depreciation; may execute works for Government Departments or private persons after the estimated cost - including a suitable percentage for supervision and for renewals and interest on the capital cost of machinery, and, in the case of works on private account, a percentage as profit - has been adjusted by transfer and credited to the deposit account of the railway by Government or, in the case of private persons, has been deposited by them; may incur outlay under "Law Charges" on the advice of the Government legal adviser; may appoint, promote, dismiss, and accept resignations of subordinates within the amount and scale sanctioned, but

none

none is to be dismissed without being given opportunity to meet the charge brought against him; may grant leave of all kinds to all officers (except heads of departments) - under the rules in force; may advance pay, recoverable in three monthly instalments, up to one month; may execute contracts for cartage and delivery of goods, for tolls at bridges, ferries, and other communications provided by the railway, for loading and unloading, and for the sale of surplus material; may make agreements for the interchange of traffic with other carrying companies; shall have control of all buildings including dwelling houses exclusively devoted to railway purposes and the allotment of quarters therein may grant or take leases of houses, land, etc., the rent absorbed not exceeding Rs. 5,000 a month; and may reconvey property given as security in contracts. Should there be urgent reasons for exceeding any limitations of the Manager's powers, confirmation by His Majesty's Commissioner must be promptly asked for.