

S U P P L E M E N T
TO
O F F I C I A L G A Z E T T E
O F T H E



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His Excellency has approved of the following Bills being introduced at the Session of Legislative Council to be held on May 10th, 1915.

*E. P. EVANS,
Clerk to the Legislative Council.*

TABLE OF CONTENTS.

	Page.
19 A Bill intituled an Ordinance to amend the Forest Ordinance, 1911, for the purposes of making Provision for the Enlistment and Conditions of Service of Forest Guards	1
20 A Bill intituled an Ordinance to amend the Law Relating to Lunacy	7
21. A Bill intituled an Ordinance to amend the British and Colonial Probates Ordinance, 1914	9
22. A Bill intituled an Ordinance to amend the Customs Tariff Ordinance, 1909	11
23 A Bill intituled an Ordinance to amend the Mining Ordinance, 1912	13

A Bill

Intituled

An Ordinance to amend the Forest Ordinance, 1911, for the purposes of making Provision for the Enlistment and Conditions of Service of Forest Guards.

1 This Ordinance may be cited as "The Forest Short title
Amendment Ordinance, 1915," and shall be read together
with the Forest Ordinance, 1911, hereinafter referred to
as the Principal Ordinance

5 2 In this Ordinance — Definition

"Conservator" shall mean the Conservator of
Forests or any person acting for him

"Superior Forest Officer" shall mean a Forest
Officer of or above the rank of a Forester

10 3 The provisions of this Ordinance shall extend to all Application
persons who at the commencement of this Ordinance are
enrolled or serving as Forest Guards in like manner as if
such persons had been enrolled under this Ordinance

15 4 (1) It shall be lawful for the Conservator and such Terms of enlistment
Forest Officers as he may appoint to enrol persons as
Forest Guards

(2) Every Forest Guard shall be enlisted for the first
term of his engagement to serve for three years, or such
less period as may from time to time be fixed by the
20 Governor, the term to be reckoned from the day on which
the Guard shall have been fully approved for service and
taken on the strength of the Department

25 5 Any Forest Guard of good character who at any Power to re-engage
time has completed, or who is within three months of
completing the term of his engagement, may, with the
approval of the Conservator, re-engage for any period or
periods until he shall complete a total of twenty-one years'
service reckoning from the time of his first enlistment

30 6 Any Forest Guard who, being entitled to his Leave on re engagement
discharge at the end of his period of service, re-engages
for further service, may with the approval of the
Conservator, be permitted to proceed on furlough for a
period not exceeding one month for each year of service
in respect of which no furlough shall have been granted
35 and not exceeding in any case three months, and will
receive during that period half pay at rate of salary drawn
by him at the time of the furlough being granted

7 Every man enlisting as aforesaid shall, previous to Declaration on enlistment
his being approved, make the following declaration by oath
40 in his native language in such manner as he may declare
to be most binding on his conscience —

I, A B , do most solemnly and sincerely declare and promise that I will obey all orders of the Governor for a period of three years and for such other period or periods as I may re-engage to serve and will subject
 5 myself to all Ordinances, Rules and Regulations relating to the Forest Department now in force, or which may from time to time be in force, within the said period or periods

(Signature or mark of recruit)

10 Declared this day of
 191 " Before me "
(Signature of Magistrate or Officer)

The declaration and oath shall be made before a Magistrate or superior Forest Officer and be signed or
 15 marked by the Forest Guard and shall be preserved as part of the enlistment papers of every Forest Guard

8 Any Forest Guard whose period of service expires during a state of war, insurrection or hostilities, may be detained and his service prolonged for such further
 20 period, not exceeding twelve months, as the Governor may direct

Proclamation
of service in
case of war
etc

9 Subject to the provisions of section 5 every Forest Guard who has completed his period or periods of engagements of service, according to the provisions of this
 25 Ordinance, shall be discharged by the Forest Officer in charge at the place at which such Forest Guard is stationed unless he is required to appear as a witness in connection with an enquiry into a case of an offence against the Principal Ordinance

Place of
discharge

30 10 On being discharged every Forest Guard shall receive a certificate of discharge

Certificate of
discharge

11 A Forest Guard may be discharged at any time by the Conservator

Power to
discharge

35 (a) When declared by a Medical Officer to be unfit for service

(b) When convicted for any criminal offence

(c) For general incompetence

(d) On reduction of establishment

40 (e) On purchase of discharges at the following rates —

Rs 40 during the first year of service

Rs 30 during the second year of service

Rs 20 during the third or any subsequent year of service

45 12 (1) Forest Guards shall be eligible for gratuities at the following rates in lieu of pension on discharge after continuous good service

Gratuities

(a) FIRST GRADE Rs

For a period of 12 years 70

50 For a period of 16 years 80

For a period of 21 years 95

(2) If such marks or any of them be not fixed to a motor car or carriage in the manner prescribed or directed, or if, being so fixed, then any of them are in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the motor car shall be liable on conviction to a penalty not exceeding Rupees 375/-

(3) Whenever any such mark shall become in any way obscured or otherwise not easily distinguishable, and shall be returned to the Licensing Officer, or whenever it is proved to the satisfaction of the Licensing Officer that any such mark has been lost or destroyed, the person to whom the licence was issued may obtain from the Licensing Officer a new mark on payment of the prescribed fee

11 (1) A person shall not drive a motor car unless he shall hold a certificate of competency to drive such motor car or a motor car of similar type, to be issued by such officer or person as the Governor may appoint for the purpose (hereinafter referred to as the Certifying Officer) or issued to him in the Uganda Protectorate under the provisions of the Motor Traffic Ordinance, 1910, provided that, for the purpose of being taught to drive, an uncertificated person may drive a motor car upon any unfrequented road if accompanied by a person holding a certificate of competency to drive such motor car, and that in such case both the uncertificated person and the person holding a certificate shall be severally liable for any damage caused or offence under this Ordinance committed during the driving by such uncertificated person

Drivers to be certified as competent

(2) A certificate of competency shall be in duplicate in the form in the Third Schedule hereto, or such form as the Governor shall by notice prescribe

Form of certificate

(3) A certificate of competency shall not be granted to a person under the age of eighteen years, nor to any person of materially defective vision or hearing, nor until the Certifying Officer shall have satisfied himself personally that the applicant has sufficient knowledge and experience in the driving of motor cars to enable him to keep his vehicle completely under control in heavy traffic, to bring it promptly to a standstill, and generally so to manage it that no danger or inconvenience to the public is to be apprehended from his use of it

Requirements before grant of certificate

(4) There shall be paid for a certificate of competency the prescribed fee

Fee

(5) If the Certifying Officer be not an officer in the public service, it shall be lawful for the Governor to direct that there be paid to such Certifying Officer such fees for each certificate of competency granted by him, as the Governor thinks proper

Certifying officer not in public service may be awarded certain fees

(6) The person certified as competent shall in the presence of the Certifying Officer endorse the certificate and duplicate with his usual signature, or if he shall be illiterate, shall affix thereto his thumb mark, or finger prints, or such other mark of identity as the Certifying Officer shall require

Indorsement of certificate

(7) The Certifying Officer shall forward the duplicate of every certificate of competency issued by him to the Commissioner of Police, by whom it shall be filed

Duplicate to be kept

(8) Any licensing officer appointed under this Ordinance or any Magistrate or any Police officer not below the rank of Inspector may require any person driving a

Inspection of certificate

(b) SECOND GRADE

For a period of 12 years	50
For a period of 16 years	60
For a period of 21 years	75

5 (2) No increased rates of gratuity shall be paid in respect of any period of service in excess of a total service of twenty-one years, and no Forest Guard who has received a gratuity on discharge after twelve years or sixteen years service shall, in the event of his afterwards
10 re-enlisting, receive in respect of his service after such re-enlistment any higher gratuity, than may, together with such first gratuity, be equal to the gratuity which he would have earned by continuous service for twenty-one years

15 (3) When any Forest Guard is discharged as medically unfit for further service or on account of reduction of establishment, before completing such continuous service of twelve, sixteen or twenty-one years service as aforesaid, he may receive such proportion of
20 the gratuity which he would have earned if he had completed the period of service he is then passing through as the Conservator may in his discretion determine and, in the event of the death of a Forest Guard, before receipt by him of such gratuity, it shall be lawful for the Governor to
25 direct and cause the amount thereof to be paid to or for the benefit of the widow or widows, or child or children or to any next of kin of the Forest Guard so dying, on such conditions, and if to or for the benefit of more than one person, in such proportions as the Governor shall deem fit

30 13 In the event of a reservist of the King's African Rifles enlisting as a Forest Guard within three months of his discharge from the regiment the period of service with the colours shall count towards a gratuity, and any period which a Forest Guard being reservist may be called upon
35 to serve on mobilisation shall also count towards a gratuity

Service in King's African Rifles to count for gratuity

14 In the event of a Non-Commissioned Officer of the Police who has completed at least 9 years service in the force enlisting as a Forest Guard within six months of the date of his discharge such service shall be reckoned
40 towards a gratuity

Service in Police to count for gratuity

15 Every Forest Guard on the recommendation of the Conservator and with the sanction of the Governor, shall after nine years continuous good service be exempted from paying hut tax for one hut for life, or alternatively
45 from paying poll tax in respect of himself for life

Exemption from Hut Tax

16 All articles of clothing and other necessaries which shall have been supplied to any Forest Guard for the execution of his duty are the property of the Government and shall be returned by such Forest Guard on his
50 discharge. Provided that when the full periods of wear have expired such Forest Guard may be permitted to hold any such articles of clothing in possession so long as he shall continue a Forest Guard, but no such articles of clothing shall be sold, exchanged, pledged, lent or given
55 or otherwise transferred to any other person without the consent of the Conservator

Clothing etc to be the property of the Government

17 No pay shall accrue to any Forest Guard in respect of any period during which he is detained awaiting any trial which results in his conviction for any criminal
60 offence

No pay while awaiting trial resulting in conviction

18 (1) All fines imposed under this Ordinance by a Forest Officer for offences under this Ordinance shall be recoverable by stoppages from the offender's pay due at the time of committing such offence or thereafter accruing
 5 due, and not from any other source or in any other manner

Collection of
Fines

(2) The amount of stoppages shall be in the discretion of the Officer authorised to impose fines, in no case exceeding one half of the monthly pay of the offender, and
 10 whenever more than one order of stoppage is enforced for any cause against the same person so much only of his pay shall be stopped as shall leave him a residue of at least one half of his monthly pay

19 (1) All fines imposed under this Ordinance by a Forest Officer and all stoppages of pay shall be paid over to the Treasurer of the Protectorate, to be placed to the credit of a fund to be styled the " Forest Guards' Rewards and Fine Fund "

Payment of
fine collected

(2) No payment shall be made from the " Forest Guards' Rewards and Fines Fund " except under the authority of the Governor

(3) The Governor may, on the recommendation of the Conservator sanction payments from the " Forest Guards' Rewards and Fines Fund " for any of the
 25 following purposes, that is to say —

(a) Replacing property in respect of which stoppages have been credited to the fund

(b) Payments to Forest Guards as rewards for special service

30 (c) Assistance to Forest Guards who may be discharged as medically unfit or to the wives and families of deceased Forest Guards who may be in immediate want

35 (d) To provide additional rations or entertainment at times of National Rejoicing

(4) Annual statement of receipts and expenditure shall be rendered by Conservator of Forests to the Governor

20 Provided that nothing in this Ordinance shall be construed to exempt any Forest Guard from being proceeded against for any offence by the ordinary cause of law, any Forest Guard who —

Offences

(1) Absents himself without leave, or
 (2) Fails to report any Forest Offence, or
 45 (3) Aids or abets any one to commit a Forest Offence, or
 (4) Fails to report a forest fire, or
 (5) Fails to attempt to extinguish a forest fire, or
 (6) Fails to carry out orders, or
 50 (7) Is guilty of insubordination, or
 (8) Is drunk on duty, or
 (9) Is ignorant of the paths and tracks in the Forest in his beat after six months service in that beat, or

(10) Loses his uniform or any Government property, or

(11) Accepts any gratuity, or

5 (12) Malingers or feigns illness shall be deemed to have committed an offence against discipline and such offence shall be enquired into, tried and determined, and the offender shall in every such case suffer such punishment, according to the degree and nature of the offence, as he may be awarded in accordance with the following
10 provisions

21 Any Forest Officer may examine the truth of any such charge as aforesaid and if his decision is against the accused he may impose on him the following punishment Power to fine

15 (1) Fine not exceeding one third of a month's pay to be levied by stoppages from the offender's pay

(2) In every case of aggravated offence or where the accused has previously been convicted of a similar offence Fine not exceeding half a month's pay to be levied by stoppages from the offender's pay

20 22 Any person found within a forest area, or in its vicinity, and having in his possession any forest produce, who, on being thereunto required by any Forest Guard, refuses to give a satisfactory account of the manner in which he became possessed of any such produce, may be
25 taken by such Forest Guard interrogating him before a Magistrate, and if such person does not satisfy such Magistrate that he came lawfully by such produce, he shall, on conviction, be liable to a fine not exceeding seventy-five rupees and the produce shall be forfeited Interrogation of persons having forest produce in their possession

30 23 Any Forest Guard may, without warrant, arrest any person reasonably suspected of having been concerned in any forest offence under the provisions of the Principal Ordinance, if the accused person refuses to give his name and residence or gives a name and residence which there is
35 reason to believe is false or if there is reason to believe he will abscond Powers of arrest

A Bill

Intituled

An Ordinance to amend the Law Relating to Lunacy

1 This Ordinance may be cited as “ The Lunacy Short title
Amendment Ordinance, 1915,” and shall be read as one
with the Indian Lunacy (District Courts) Act, 1858, as
applied to the Protectorate hereinafter referred to as the
5 Principal Ordinance

2 To section 16 of the Principal Ordinance shall be Power of
added the following proviso — Courts in case
of a lunatic
residing
without the
Protectorate

10 “ Provided that the Court may in the case of the
estate of a lunatic residing without the Protectorate on
the application of the manager of any such estate make
such order in regard to any such sum as it may deem
fit whether any such sum has been paid into the public
treasury on account of any such estate or not ”

A Bill

Intituled

An Ordinance to amend the British and Colonial Probates Ordinance, 1914

1 This Ordinance may be cited as “ The British and Colonial Probates Amendment Ordinance, 1915,” and shall be read as one with the British and Colonial Probates Ordinance, 1914, hereinafter referred to as the Principal
5 Ordinance Short Title.

2 In the definition of “ Court of Probate ” contained in section 9 of the Principal Ordinance the words “ and in Scotland means the Sheriff’s Court of the County of Edinburgh ” are hereby repealed

A Bill

Intituled

An Ordinance to amend the Customs
Tariff Ordinance, 1909

1 This Ordinance may be cited as “The Customs Short title
Tariff Amendment Ordinance, No 2 of 1915,” and shall
be read as one with the Customs Tariff Ordinance, 1909,
(hereinafter referred to as the Principal Ordinance) and
5 all Ordinances amending the same

2 On and after the coming into operation of this Amendment
Ordinance the Table of Exemptions from Import Duty of Table of
set out in the Principal Ordinance shall be and is hereby Exemptions
amended by adding thereto the following — from Import
Duty

10 35 Electric cable or wire, the posts for carrying
the same and all other material required for the
purposes of generating or distributing electric
energy, whether for power or lighting, on
satisfactory proof to the Chief of Customs that
15 such articles and materials have been imported
solely for such purposes

A Bill

Intituled

An Ordinance to amend the Mining Ordinance, 1912

1 This Ordinance may be cited as “The Mining Short title
Amendment Ordinance, 1915” and shall be read as one
with the Mining Ordinance, 1912 hereinafter referred
to as the Principal Ordinance

5 2 The proviso to Section 73 XXVI of the Repeal
Principal Ordinance is hereby repealed