

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

EAST AFRICA



PROTECTORATE.

Published under the authority of His Excellency the Governor of East Africa.

Vol. XXI.—Supplement No. 11] NAIROBI, October 29th, 1919.

His Excellency has approved of the following Bills being introduced at the next Session of the Legislative Council.

C. E. SPENCER,
Clerk to the Legislative Council

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A Bill

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An Ordinance to make Provision for the Regulation of Aerial Navigation.

1. This Ordinance may be cited as "The Aerial Navigation Ordinance, 1919." Short title.

2. (1) The Governor-in-Council may :—

Power to prohibit navigation by aircraft over prescribed areas.

(a) for the purpose of protecting the public from
5 danger; and

(b) for the purpose of the defence or safety of the Protectorate
from time to time by order prohibit the navigation of aircraft over such areas as may be prescribed in the order.

10 (2) Any such order may apply either generally to all aircraft or to aircraft of such classes and descriptions only as may be specified in the order and may prohibit the navigation of aircraft over any such prescribed area either at all times or at such times or on such occasions only as may be specified
15 in the order and either absolutely or subject to such exceptions or conditions as may be so specified.

(3) Any area prescribed in pursuance of sub-section (1) (b) of this section may include the whole or any part of the coast line of the Protectorate and the territorial waters adjacent thereto or the whole or any part of the waters of Lake Victoria
20 being within the Protectorate.

(4) If any person navigates an aircraft over an area prescribed under the provisions of this section he shall be guilty of an offence under this Ordinance unless he proves that he was compelled to do so by reason of stress of weather
25 or other circumstance over which he had no control.

3. (1) The Governor-in-Council may from time to time by order prescribe the areas within which aircraft coming from any place outside the Protectorate are to land and the other conditions to be complied with by such aircraft.

Power to prescribe landing places or other conditions in the case of aircraft entering the Protectorate.

30 (2) If any person contravenes any of the provisions of any such order he shall be guilty of an offence under this Ordinance unless he shall prove that he was compelled to do so by reason of stress of weather or other circumstance over which he had no control.

Power to regulate
air navigation.

4. (1) The Governor-in-Council may from time to time by order regulate air navigation over the Protectorate and the territorial waters adjacent thereto and in particular but without departing from the generality of the above provision may by any such order provide for :—

(a) the grant, suspension and revocation of licences to pilots and other persons engaged in the navigation of aircraft especially those used for carrying passengers, goods or mails;

(b) the registration, identification, inspection and certification of aircraft especially those used for carrying passengers, goods or mails;

(c) the licensing, inspection and regulation of aerodromes;

(d) the conditions under which aircraft may be used for carrying passengers, goods or mails;

(e) the conditions under which goods and mails may be conveyed in aircraft into or from the Protectorate.

(2) If any person contravenes or fails to comply with the provisions contained in any such order he shall be guilty of an offence under this Ordinance. Provided that if proceedings are taken by the Chief of Customs for contravention of or failure to comply with any regulation made under paragraph (e) of sub-section (1) of this section the proceedings shall be deemed to be proceedings for the recovery of a penalty under the law relating to Customs.

Power to compel
compliance when
aircraft disobeys
signals.

5. If an aircraft flies or attempts to fly over any area prescribed under this Ordinance for the purposes of defence or safety of the Protectorate or in the case of an aircraft coming from any place outside the Protectorate fails to comply with any of the conditions as to landing prescribed by an order under Section 3 of this Ordinance it shall be lawful for an officer designated for the purpose by regulations made by the Governor-in-Council to cause such signal as may be prescribed by those regulations to be given and if after such signal has been given the aircraft fails to respond to the signal by complying with such regulations as may be made by the Governor-in-Council prescribing the action to be taken on such a signal being given it shall be lawful for the officer to fire at or into such aircraft and to use any or every means necessary to compel compliance and every and any such officer and every other person acting in his aid and by his direction shall be and is hereby indemnified and discharged from any prosecution, charge, penalty, action or other proceeding whatsoever whether criminal or civil for so doing.

Penalties.

6. If any person is guilty of an offence under this Ordinance he shall on conviction be liable to imprisonment of either description for a term not exceeding six months or to a fine not exceeding Rs. 5,000/- or to both such imprisonment and fine.

A Bill

Intituled

An Ordinance to Prohibit the Melting Down or use of Gold and Silver Coins otherwise than as Currency.

1. This Ordinance may be cited as "The Gold and Silver Short title.
Currency Protection Ordinance, 1919."

2. No person shall melt down, break up or use otherwise than as currency any gold or silver coin which is for the time being current in the Protectorate or in the United Kingdom or in any British Possession or Protectorate or in any foreign country. Prohibition on melting down or using except as currency gold and silver coins.

3. Any person who contravenes any of the provisions of this Ordinance shall on conviction be liable to a fine not exceeding Rs. 3,000/- or to imprisonment of either description for a term not exceeding 6 months or to both such fine and imprisonment. Penalty.

A Bill

Intituled.

An Ordinance to Amend the Law Relating to Master and Servants.

1. This Ordinance may be cited as "The Master and Servants Amendment (No. 2) Ordinance, 1919," and shall be read and construed as one with the Master and Servants Ordinance, 1910, hereafter referred to as the Principal Ordinance and all amendments thereof.

Short title.

2. Section 15 of the Principal Ordinance is hereby repealed and the following section is hereby substituted therefore :—

Repeal.

Penalty for decoying servants.

10 15. Whoever decoys away or unlawfully induces any servant to quit the service of his employer or who attempts to decoy away or attempts unlawfully to induce any servant to quit the service of his employer or who knowingly harbours any servant who may improperly quit the service of his employer shall be liable on conviction to a fine not exceeding Rs. 1,500/- or to imprisonment of either description not exceeding 6 months or to both such fine and imprisonment.

A Bill

Intituled.

An Ordinance for the Better Prevention of Corruption.

1. This Ordinance may be cited as "The Prevention of Corruption Ordinance, 1919." Short title.

2. (1) If any agent corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having after the passing of this Ordinance done or forborne to do, any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business; Punishment of corrupt transactions with agents.

or
If any person corruptly gives or agrees to give or offers any gift or consideration to any agent as an inducement or reward for doing or forbearing to do, or for having after the passing of this Ordinance done or forborne to do, any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business; or

If any person knowingly gives to any agent, or if any agent knowingly uses with intent to deceive his principal, any receipt, account, or other document in respect of which the principal is interested, and which contains any statement which is false or erroneous or defective in any material particular; and which to his knowledge is intended to mislead the principal;

he shall be guilty of an offence, and shall be liable on conviction to imprisonment of either description for a term not exceeding two years or to a fine not exceeding Rs. 3,000/- or to both such imprisonment and such fine, or on conviction by a Magistrate holding a Subordinate Court of the first class to imprisonment of either description for a term not exceeding 6 months, or to a fine not exceeding Rs. 1,500/- or to both such imprisonment and such fine.

(2) For the purpose of this Ordinance the expression "consideration" includes valuable consideration of any kind: the expression "agent" includes any person employed by or acting for another; and the expression "principal" includes an employer.

(3) A person serving under the Crown or under any municipal corporation is an agent within the meaning of this Ordinance.

3. A prosecution for an offence under this Ordinance shall not be instituted without the consent of the Attorney General or Solicitor General. Prosecution of offences.

A Bill

Intituled

An Ordinance to Supply a further Sum of Money for the Service of the Year ending the 31st March, 1919.

1. This Ordinance may be cited as "The Supplementary Short title.
Appropriation Ordinance, 1919."
2. The Public Revenue for the year 1918-19, and other Public Revenue charged.
funds of the East Africa Protectorate are hereby charged
5 towards the service of the year ended 31st March, 1919, with
a further sum of one hundred seventy-seven thousand and
eighty-seven pounds, two shillings and five pence, in addition
to the sums provided by the Appropriation Ordinance, 1918.
3. The money granted by this Ordinance shall be applied Application of money
10 to the purposes and services expressed in the schedule annexed granted.
hereto.
4. The Treasurer of the Protectorate is hereby authorised Treasurer's authority for
and required from time to time, upon warrant or order of the payment.
Governor, to pay out of the Revenue and other funds of the
15 Protectorate, for the several services specified in the schedule,
the said sum of one hundred seventy-seven thousand and
eighty-seven pounds, two shillings and five pence, which have
come in course of payment during the year ended on the 31st
day of March, 1919.

SCHEDULE.

HEADS OF EXPENDITURE.				AMOUNT.		
				£	s.	d.
2.	Pensions and Gratuities	...	...	1,168	16	3
3.	His Excellency the Governor	...	...	82	4	7
6a.	Provincial Administration—Special					
	Expenditure	...	...	2,544	7	2
7.	Treasury	...	...	149	10	5
9.	Port and Marine Departments—Special					
	Expenditure	...	...	639	13	3
13.	Prisons	...	...	8,145	1	6
17.	Transport	...	...	965	10	6
20a.	Post Office and Telegraphs—Special					
	Expenditure	...	...	1,912	12	3
33.	Interest	...	...	38	3	2
34.	Special Expenditure for Magadi	...	...	5,468	0	9
35.	Protectorate share of War Expenses	...	...	155,973	2	7
Total £ ...				177,087	2	5