



**THE
OFFICIAL GAZETTE
OF THE
COLONY AND PROTECTORATE
OF
KENYA
(SPECIAL ISSUE)**

Published under the Authority of His Excellency the Governor of the
Colony and Protectorate of Kenya.

Vol. XXX.—No. 48.

NAIROBI, August 9, 1928.

Price 50 Cents.

Registered as a Newspaper at the G. P. O.

CONTENTS

	PAGE
Govt. Notice No. 414—Local Government (Municipalities) Bill, 1928—Amendments to be proposed	1222

Colony and Protectorate of Kenya.

GOVERNMENT NOTICE No. 414.

LOCAL GOVERNMENT (MUNICIPALITIES) BILL, 1928.

It is intimated for general information that Government intends to propose the following amendments to the above Bill in Select Committee of Legislative Council on the Bill.

It is expected that the Select Committee will commence its sittings in Mombasa on Wednesday, August the 15th, and any persons, desirous of putting forward suggestions or criticisms with regard to this Bill should send such suggestions and criticisms to the Clerk to Legislative Council as soon as possible. Careful consideration will be given by the Select Committee to all such suggestions and criticisms.

FOR CLAUSE 5—substitute the following :—

Constitution
of Nairobi
Municipal
Council.

5. There shall be constituted for the Municipality of Nairobi a Municipal Council which shall consist of :

- (1) Nine European members to be elected.
- (2) Seven Indian members to be nominated by the Governor.
- (3) Not more than two members to be nominated by the Governor, to represent the Government of the Colony.
- (4) The Administrative Officer in charge of Nairobi District, with a special view to the safeguarding of native interests.

Provided that in the event of the establishment of a local authority for the rural area adjacent to the Municipality of Nairobi, the Governor may nominate a representative of such authority as an additional member.

Provided further that the Governor in Council may at any time direct by notice in the Gazette upon receipt of a request so to do from the Council that, in lieu of such nomination as aforesaid, the whole or any number of the members mentioned in sub-section (2) of this section shall be elected.

DELETE CLAUSES 6 and 7, and insert the following Clauses in their place :

6. The Councillors elected or nominated under the provisions of sub-sections (1) and (2) of section 5 of this Ordinance shall be elected or nominated for a period of 3 years :

Provided that one-third, or as near as may be, shall retire at the expiration of 12 months from the date of such first election or nomination and one-third, or as near as may be at the expiration of 24 months from the date of such election or nomination.

Provided further that the Councillors so retiring shall be chosen by ballot and any such Councillor shall be eligible for re-election or re-nomination.

(2) The Councillors nominated under the provisions of sub-sections (3) and (4) shall be nominated during the Governor's pleasure for a period not exceeding 3 years.

7. After the first election or nomination of Councillors as provided in the preceding section an annual election or nomination of Councillors shall take place for the purpose of electing or nominating Councillors to replace an equal number of Councillors retiring from office.

FOR CLAUSE 9—substitute the following :—

9. There shall be constituted for the Municipality of Mombasa a Municipal Board which shall consist of :—

Constitution
of Mombasa
Municipal
Board.

- (1) The Resident Commissioner—who shall be Chairman ;
- (2) Seven European members to be nominated by the Governor ;
- (3) Seven Indian members to be nominated by the Governor ;
- (4) One Arab member to be nominated by the Governor.
- (5) Not more than four members to be nominated by the Governor, to represent the Government of the Colony ;
- (6) One member, to be nominated by the Governor, to represent the Port Administration.

Provided that the Governor in Council may at any time direct by notice in the Gazette upon receipt of a request so to do from the Board that in lieu of such nomination as aforesaid, the whole or any number of the members referred to in sub-sections (2), (3) or (4) of this Section shall be elected.

DELETE CLAUSE 10—and substitute the following :—

10. (1) The members nominated under the provisions of sub-section (2) and (3) of Section 9 of this Ordinance shall be nominated for a period of 3 years ; provided that one-third, or as near as may be, shall retire at the expiration of 12 months from the date of such first nomination and one-third, or as near as may be, at the expiration of 24 months from the date of such nomination.

Provided further that the members so retiring shall be chosen by ballot and that any such member shall be eligible for re-nomination.

(2) The member nominated under the provision of sub-section (4) of section 9 of this Ordinance shall be nominated annually.

(3) The members nominated under the provisions of (5) and (6) of section 9 of this Ordinance shall be nominated during the Governor's pleasure for a period not exceeding 3 years.

AMEND CLAUSE 13 (1) as follows:—

After the word “nominated” in line four insert the words “or of such number elected or nominated”.

DELETE CLAUSE 13 (2).

CLAUSE 13 (3):

Substitute the word “Arab” for the word “Goan”.

DELETE CLAUSE 15—and substitute the following:—

Preparation of
Voters' Roll.

15. As soon as possible after elected members have been included in the constitution of a Council or Board established under the provisions of Part I of this Ordinance, the Governor in Council shall make Rules for the carrying out of elections and particularly for all or any of the following purposes, that is to say:—

- (a) for prescribing the qualifications and disqualifications of voters and candidates.
- (b) for prescribing the procedure for the nomination of candidates.
- (c) for prescribing the term of office of elected councillors or members, and providing for the annual retirement of one-third, or as near as may be, and the method by which such retirement shall be effected: and for annual elections to elect a corresponding number of Councillors.
- (d) for prescribing the method of filling casual vacancies.
- (e) for regulating the procedure in regard to the preparation of voters' rolls and for the making and disposing of claims and objections.
- (f) for regulating the procedure in regard to the taking of polls at contested elections under this Ordinance;
- (g) for prescribing such forms as he may think necessary to be used in connection with the matters dealt with in this Part of this Ordinance and any rules made thereunder;
- (h) for prescribing penal provisions relating to elections.
- (i) Generally for the better carrying out of elections and for all matters in connection therewith.

DELETE CLAUSES 16 to 41.

CLAUSE 132 (1) after the word “election” in line one insert the words “or nomination.”

DELETE the second schedule.

Nairobi,

8th August, 1928.

H. T. MARTIN,
Acting Colonial Secretary.