



# THE OFFICIAL GAZETTE

## OF THE COLONY AND PROTECTORATE OF KENYA

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

---

Vol. LIII—No. 58	NAIROBI, November 27, 1951	Price 50 Cents
------------------	----------------------------	----------------

---

**CONTENTS**

	PAGE
Govt Notice No 1275 —Bill for introduction into the Legislative Council—	
An Ordinance to Amend the Legislative Council Ordinance	1111

## GOVERNMENT NOTICE No 1275

The Governor in Council has approved of the following Bill being introduced into the Legislative Council

J H BUTTER,  
*Acting Clerk to the Legislative Council*

**A BILL ENTITLED**  
**AN ORDINANCE TO AMEND THE LEGISLATIVE**  
**COUNCIL ORDINANCE**

ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows —

1 This Ordinance may be cited as the Legislative Council (Temporary Provisions) Ordinance, 1951, and shall be read and construed as one with the Legislative Council Ordinance, hereinafter referred to as the principal Ordinance

Short title

Cap 38(A)

2. There shall be substituted for section 3 of the principal Ordinance the following section—

Repeal and replacement of section 3 of the principal Ordinance

3 (1) There shall be elected to the Legislative Council in accordance with the provisions of this Ordinance fourteen European members, four Indian members, not being Muslims, two Indian Muslim members and one Arab member

(2) Such members shall represent the electoral areas described in Schedule I to this Ordinance as follows —

(a) one European member shall be elected for, and by the European members of, each of the electoral areas described in Part A of that Schedule,

(b) one Indian member not being a Muslim shall be elected for, and by the Indian voters not being Muslims of, each of the electoral areas described in Part B of that Schedule

Provided that two such members shall be elected for the Central electoral area described therein

(c) one Indian Muslim member shall be elected for, and by the Indian Muslim voters of, each of the electoral areas described in Part C of that Schedule,

(d) one Arab member shall be elected for, and by the Arab voters of, the electoral area described in Part D of that Schedule

3. Section 5 of the principal Ordinance is repealed

Repeal of section 5 of the principal Ordinance

4. In section 9 of the principal Ordinance—

Amendment of section 9 of the principal Ordinance

(a) the words “, or a citizen of the Republic of Ireland,” shall be inserted after the words “British subject” in sub-paragraph (i) of paragraph (c) of sub-section (1),

(b) the words “at any time” shall be inserted after the words “consecutive months” in paragraph (h) of sub-section (1),

(c) sub-section (2) shall be omitted

Repeal and  
replacement of  
section 12 of the  
principal  
Ordinance  
Qualification  
for Registration

5. There shall be substituted for section 12 of the principal Ordinance the following—

12 Any person, not otherwise disqualified under the provisions of this Ordinance, shall be entitled—

- (a) if a British subject, or a citizen of the Republic of Ireland, of European origin or descent, to have his name entered in the register of voters for one of the electoral areas described in Part A of Schedule I to this Ordinance, 5
- (b) if a British subject of Indian origin or descent, or an Indian under the suzerainty or protection of His Majesty, in either case not being a Muslim, to have his name entered in the register of voters for one of the electoral areas described in Part B of Schedule I to this Ordinance, 10 15
- (c) if a British subject of Indian origin or descent, or an Indian under the suzerainty or protection of His Majesty, in either case being a Muslim, to have his name entered in the register of voters for one of the electoral areas described in Part C of Schedule I to this Ordinance, 20
- (d) if a male Arab whether a British subject or under the suzerainty or protection of His Majesty, to have his name entered in the register of voters for the electoral area described in Part D of Schedule I to this Ordinance 25

Amendment of  
section 18 of  
the principal  
Ordinance

6. There shall be substituted for sub-section (2) of section 18 of the principal Ordinance the following —

(2) Each voter shall be entitled to vote for only one candidate in the electoral area in which the voter is entitled to vote 30

Provided that in respect of the Central electoral area described in Part B of Schedule I to this Ordinance each voter shall be entitled to vote for two candidates

Amendment of  
Schedule I to  
the principal  
Ordinance

7. (1) There shall be substituted for Part A and Part B of Schedule I to the principal Ordinance Part A and Part B of the First Schedule to this Ordinance 35

(2) There shall be inserted as Part C and Part D of Schedule I to the principal Ordinance Part C and Part D of the First Schedule to this Ordinance 40

Repeal and  
replacement of  
Schedule II to  
the principal  
Ordinance

8. There shall be substituted for Schedule II to the principal Ordinance the Second Schedule to this Ordinance

Amendment of  
Schedule III  
to the principal  
Ordinance

9. Schedule III to the principal Ordinance is amended in the manner set out in the Third Schedule to this Ordinance

New registers  
of voters to  
be prepared

10. (1) Prior to the general election to be held next after the commencement of this Ordinance, there shall be prepared and thereafter revised in the manner prescribed by the rules contained in Schedule II to the principal Ordinance (as amended by this Ordinance) a new register of voters for each electoral area described in Schedule I to the principal Ordinance (as amended by this Ordinance), and upon completion of such registers the existing registers shall cease to have effect, 50

(2) For the purpose of the preparation of the new registers referred to in the preceding sub-section, any person who, on the 1st January, 1952, is resident or is carrying on business or is employed in an electoral area, shall be entitled if he is not otherwise disqualified, to be registered on the register of voters for that electoral area, and the provisions of paragraph (i) of sub-section (1) of section 9 of the principal Ordinance shall not have effect with respect to the preparation of such registers

- 10     **11.** Nothing in the preceding provisions of this Ordinance shall affect the constitution of the Legislative Council passing this Ordinance
- 15     **12.** Notwithstanding the provisions of section 5 of the Legislative Council (Temporary Amendments) Ordinance, sections 2, 3 and 4 of that Ordinance shall continue in force until the date upon which the Legislative Council passing this Ordinance is dissolved
- 20     **13.** This Ordinance shall come into operation on such date as the Governor may by order appoint, and an order under this section may appoint different dates in relation to different provisions of this Ordinance and may appoint different dates in relation to the same provision for different purposes
- 25     **14.** This Ordinance shall continue in force until the 30th June, 1956

Saving the constitution of the existing Legislative Council

Continuance in force of the Legislative Council (Temporary Amendments) Ordinance Cap 38(B)

Commencement

Duration

## FIRST SCHEDULE

### PART A

#### *Electoral Areas*

- 1 Nairobi North
- 2 Nairobi South
- 3 Nairobi West
- 4 Mombasa
- 5 Coast
- 6 Nyanza
- 7 Mau
- 8 Rift Valley
- 9 Aberdare
- 10 Trans Nzoia
- 11 Uasin Gishu
- 12 Mount Kenya
- 13 Ukamba
- 14 Kiambu

#### DESCRIPTION OF THE BOUNDARIES OF THE ELECTORAL AREAS

##### 1 *Nairobi North*

Commencing at the intersection of the Nairobi River with the Western boundary of Nairobi City,

thence by the City boundary in a clockwise direction to its intersection with the Kenya and Uganda section of the East African Railways on the Mombasa main line,

thence north-westerly by the Kenya and Uganda section of the East African Railways (main up-line) to the Nairobi railway station,

thence northerly by Government Road to its junction with Queensway,

thence westerly by Queensway to its junction with Stewart Street,

thence northerly by Stewart Street to its junction with Kingsway,

thence easterly by Kingsway to its junction with Government Road,

thence northerly by Government Road to its intersection with the Nairobi River,

thence by the Nairobi River to the point of commencement

## 2 *Nairobi South*

All that area of Nairobi City as proclaimed excluding Nairobi North as described above

## 3 *Nairobi West*

Commencing at the intersection of the Southern boundary of Nairobi City with the Kenya and Uganda section of the East African Railways on the Mombasa main line,

thence southerly by the Kenya and Uganda section of the East African Railways to its intersection with the western boundary of Athi River Trading Centre,

thence southerly by the western boundary of Trading Centre to its intersection with the Athi River,

thence generally westerly up-stream by the Athi River to its intersection with the Masai Native Land Unit on the Athi River,

thence westerly and northerly by the Masai Native Land Unit boundary to its intersection with the southern beacon of L R No 373,

thence on an approximate bearing of  $93^{\circ} 25'$  for a distance of approximately 30,300 ft to its intersection with the Muguga Forest Reserve boundary,

thence by the Muguga Forest Reserve boundary in a clockwise direction to its intersection with the south-western beacon of L R No 4885/7,

thence easterly by the southern boundaries of L R No 4885/7 and L R No 4885/R to its intersections with the Kenya and Uganda section of the East African Railways,

thence northerly by the Kenya and Uganda section of the East African Railways to its intersection with the southern-most beacon of L R No 4713/1 which also forms the boundary of the Kikuyu Native Land Unit,

thence north-easterly and south-easterly by the Kikuyu Native Land Unit to its intersection with the Mutigutu River,

thence down-stream by the Mutigutu River to its junction with the Karura River

thence down-stream by the Karura River to its intersection with the western boundary of Karura Forest Reserve,

thence southerly by the western boundary of Karura Forest Reserve to its intersection with the boundary of Nairobi City,

thence by the Nairobi City boundary in an anti-clockwise direction to the point of commencement

## 4 *Mombasa*

This area comprises the whole of the island of Mombasa

## 5 *Coast*

Commencing at the intersection at the Engare Len oi Rombo River with the Kenya-Tanganyika boundary,

thence bounded easterly by the northern boundary of Taita Administrative District as defined by Proclamation No 54 of 25th February, 1924, to its most eastern corner,

thence north-easterly and north-westerly by the south-eastern and north-eastern boundaries of Kitui Administrative District as defined in the aforementioned Proclamation to its most northern corner,

thence by a straight line north-easterly to a point near the northern end of the Lorian Swamp where the Lak Dera intersects the line of latitude  $1^{\circ}$  north,

thence easterly by that line of latitude to its intersection with the western boundary of Somalia,

thence southerly and south-easterly by a part of the western boundary of Somalia to the shores of the Indian Ocean,

thence generally south-westerly by the shores of the Indian Ocean to its intersection with the Kenya-Tanganyika boundary,

thence north-westerly and generally northerly by the Kenya-Tanganyika boundary to the point of commencement

All the islands within the Protectorate, with the exception of the island of Mombasa, form part of the Coast Electoral Area

## 6 *Nyanza*

Commencing at the the western corner Olenguruone Native Settlement Area,

thence north-westerly by a straight line to the south-western corner of L R No 604/1;

thence north-easterly by the south-eastern boundaries of L R No 604/1, L R No 604/2, L R No 602 and L R No 1143, by the eastern boundaries of L R No 590/2, L R No 592/2 and L R No 592/1 to the south-western corner of L R No 3670,

thence easterly and northerly by the southern and eastern boundaries of L R No 3670, northerly and westerly by the eastern and northern boundaries of L R No 5492, generally north-westerly by the generally north-eastern boundaries of L R No 7572, L R No 7759, L R No 3851 and L R No 4010/2 to the most northerly beacon of L R No 4010/2,

thence north-westerly by a straight line to the eastern corner of L R No 5425,

thence generally south-westerly by the generally south-eastern boundaries of L R No 5425, L R No 6084/11 L R No 6084/4 and L R No 1455, and north-westerly by the south-western boundary of L R No 1455 to the eastern corner of L R No 1464/1,

thence south-westerly and north-westerly by the south-eastern and south-western boundaries of L R No 1464/1 to the intersection of the Anomotua River,

thence up-stream to the south-eastern corner of L R No 6066 and north-westerly and south-westerly by the north-eastern and north-western boundaries of L R No 6066 and westerly by the northern boundary of L R No 6010, north-westerly by the north-eastern boundaries of L R No 1466/3 and L R No 5488, southerly by the western boundaries of L R No 5488 and L R No 1472/1, and westerly by the northern boundaries of L R No 5483 and L R No 1468, to the eastern boundary of L R No 7057,

thence northerly and westerly by the eastern and northern boundaries of L R No 7057 to its intersection with the River Kapchure which forms part of the eastern boundary of the Nandi Native Land Unit,

thence in a generally northerly direction by the boundary of the Nandi Native Land Unit to the northern-most beacon of L R No 6457,

thence north-westerly and south-westerly by part of the western boundary of Uasin Gishu Administrative District as defined by Proclamation 54 dated 25th February, 1924, to the southern corner of L R No 3167,

thence north-westerly to the western corner of L R No 3167,

thence north-westerly by a straight line to the trigonometrical beacon "Kakaroua",

thence on the following bearings and for the following distances, each terminating at a beacon—

00° 28'	18,107 feet,
341° 34'	6,168 feet,
356° 11'	5,054 feet,
07° 11'	5,800 feet,
292° 36'	5,244 feet,
07° 21'	5,944 feet,

thence by a bearing of 265° 11' for a distance of 17,941 ft to a trigonometrical beacon "Osorongai",

thence westerly, north-easterly and north-westerly by the generally western boundary of Uasin Gishu Administrative District as defined by Proclamation No 54 of 25th February, 1924, to the junction of the Kabisi and Nzoia Rivers at the most southerly point of L R No 5336,

thence north-westerly by the south-western boundary of the Northern Province as defined by Proclamation 15 dated 15th April, 1947, to where the Swam (or Siam) River emerges from the crater of Mount Elgon,

thence up-stream by that river to its source,

thence by a straight line south-westerly to the highest point of Mount Elgon,

thence generally south westerly by the Kenya-Uganda boundary to the north of the Sio River

thence generally southerly by the shores of Lake Victoria to its intersection with the Tanganyika boundary,

thence generally south-easterly by the Kenya-Tanganyika boundary to its intersection with the Amala (or Mara) River,

thence up-stream by that river to its intersection with the Kericho Administrative District as defined by Proclamation No 54 of 25th February, 1924,

thence generally north-westerly by the boundary of the Kericho Administrative District to its intersection with the southern boundary of the south-western Mau Forest Reserve,

thence generally north-easterly by the southern boundary of the south-western Mau Forest Reserve to the point of commencement,

Excluding and excepting those farms generally known as the Kaimosi farms which are L R No 1906, L R No 1904, L R No 1901, L R No 6736/1, L R No 6736/2, L R No 6735, L R No 6734, L R No 1902, L R No 1900/2, L R No 6068, L R No 1762, L R No 1763, L R No 1893, L R No 1894, L R No 1895, L R No 1896, L R No 1899, L R No 1898, L R No 1897/1, L R No 1897/2, L R No 1890, L R No 1891, L R No 1892, and that piece of land bounded on the north, west and south by the Kakamega Forest Reserve and on the east by L R No 1900/2

The whole of the islands in Victoria Nyanza within the Territorial Waters shall form part of the Nyanza Electoral Area

#### 7 *Mau*

Commencing at the north-west corner of the Lembus Forest Reserve,

thence southerly and easterly by the western and southern boundaries of the Lembus Forest Reserve to its intersection with the Eldama River,

thence down-stream by the Eldama and Tiggei Rivers to the most northern point of L R No 497/3/1,

thence south-easterly by the north-eastern boundaries of L R No 497/3/1, L R No 497/4 and L R No 497/3/3 to its intersection with the Enarosura River which forms the western boundary of the Esageri Native Reserve,

thence generally southerly by the western boundary of the Esageri Native Reserve to its intersection with the north-western boundary of L R No 487/29,

thence south-westerly by the north-western boundaries of L R No 487/29, L R No 487/30/1, L R No 487/31/1, L R No 6704, L R No 5620, L R No 487/34, L R No 4822, and the north-western and south-western boundaries of L R No 4823/2 to the northernmost beacon of L R No 487/3/1/2,

thence south-westerly by the north-western boundaries of L R No 487/3/1/2, L R No 487/3/1/1 and the north-western and south-western boundaries of L R No 5611,

thence generally southerly by the eastern boundaries of L R No 487/108 and L R No 5297/2 to the northernmost beacon of L R No 6977,

thence north-easterly in a straight line to a beacon on the western boundary of L R No 487/107,

thence north-easterly and south-easterly by the northern boundary of L R No 487/107 to its intersection with the Mau Stream,

thence up-stream to its intersection with the northern boundary of the eastern Mau Forest Reserve,

thence south-westerly by the western boundary of the eastern Mau Forest Reserve to the southernmost beacon of L R No 6224,

thence southerly by a straight line to the most north-easterly beacon of L R No 4602,

thence generally southerly by the eastern boundaries of L R No 4602, L R No 4603, L R No 4597, L R No 4598 and the generally southern boundary of L R No 4600 to its intersection with the south-eastern corner of the south-western Mau Forest Reserve,

thence generally westerly by the southern boundary of the south-western Mau Forest Reserve to the north-west corner of the Olenguruone Native Settlement Area

thence north-westerly by a straight line to the south-western corner of L R No 604/1,

thence north-easterly by the south-eastern boundaries of L R No 604/1, L R No 604/2, L R No 602 and L R No 1143, northerly by the eastern boundaries of L R No 590/2, L R 592/2 and L R No 592/1 to the south-western corner of L R No 3670,

thence easterly and northerly by the southern and eastern boundaries of L R No 3670,

northerly and westerly by the eastern and northern boundaries of L R No 5492;

generally north-westerly by the generally north-eastern boundaries of L R No 7572, L R No 7759, L R No 3851 and L R No 4010/2 to the most northerly beacon of L R No 4010/2,

thence north-westerly by a straight line to the eastern corner of L R No 5425,

thence generally south-westerly by the generally south-eastern boundaries of L R No 5425, L R No 6084/11, L R No 6084/4 and L R No 1455 and north-westerly by the south-western boundary of L R No 1455 to the eastern corner of L R No 1464/1,

thence south-westerly and north-westerly by the south-eastern and south-western boundaries of L R No 1464/1 to the intersection of the Ainomotua River

thence up-stream to the south-eastern corner of L R No 6066 and north-westerly and south-westerly by the north-eastern and north-western boundaries of L R No 6066 and westerly by the northern boundary of L R No 6010, north-westerly by the north-eastern boundaries of L R No 1466/1, L R No 5488, southerly by the western boundaries of L R No 5488 and I R No 1472/1 and westerly by the northern boundaries of L R No 5483 and L R No 1468 to the eastern boundary of L R No 7057,

thence northerly and westerly by the eastern and northern boundaries of L R No 7057 to its intersection with the River Kapchure which forms part of the eastern boundary of the Nandi Native Land Unit,

thence in a generally northerly direction by the boundary of the Nandi Native Land Unit to the northern-most beacon of L R No 6457,

thence easterly by the northern boundary of L R 6457 to a point on the northern boundary of the northern Tinderet Forest Reserve,

thence easterly by the northern boundary of the northern Tinderet Forest Reserve to its intersection with the western boundary of the Nabkoi Forest Reserve,

thence north-easterly by the north-western boundary of the Nabkoi Forest Reserve to its intersection with the western boundary of L R No 5688,

thence northerly by part of the western boundary of L R No 5688, northerly and easterly by the western and northern boundaries of L R No 5687, north-easterly and southerly by the north-western and eastern boundaries of L R No 7210, and south-easterly and southerly by the north-eastern and eastern boundaries of L R No 5690/4 to the point of commencement

Included in the Mau Constituency are those farms generally known as the Kaimosi farms which are L R No 1906, L R No 1904, L R No 1901, L R No 6736/1, L R No 6736/2, L R No 6735, L R No 6734, L R No 1902, L R No 1900/1, L R No 6068, L R No 1762, L R No 1763, I R No 1893, L R No 1894, L R No 1895, L R No 1896, L R No 1899, L R No 898, L R No 1897/1, L R No 1897/2, L R No 1890, L R No 1891, L R No 1892, and that piece of land bounded on the north-west and south by the Kakamega Forest Reserve and on the east by L R No 1900/2

#### 8 *Rift Valley*

Commencing at the southernmost beacon of L R No 373 which lies on the boundary of Masai Native Land Unit,

thence north-westerly by the boundary of Masai Native Land Unit to the southern-most beacon at L R No 1771,

thence north-easterly by the south-eastern boundary of L R No 1771, northerly by the western boundaries of I R No 6759 and L R No 6758 and northerly and easterly by the boundaries of L R No 5757 to its intersection with the Kenya and Uganda section of the East African Railways,

thence northerly by the Kenya and Uganda section of the East African Railways to the south-western beacon of L R No 4731,

thence by the southern boundaries of L R No 4731, L R No 4631/R, L R No 7620, I R No 440/2, L R No 1157/5, L R No 1157/2, the eastern boundaries of L R No 1157/2, L R No 1157/3 and the eastern and northern boundaries of L R No 1157/4, the eastern boundary of L R No 465/4, the southern and eastern boundaries of L R No 4030/R, the eastern boundaries of L R No 4049/R, L R No 4048/R, L R No 4048/1, L R No 4047/R, L R No 4046, L R No 6230, I R No 6660, I R No 1262/8, L R No 6953/4, L R No 4589, the southern and eastern boundaries of L R No 6593/5 to the southern boundary of L R No 2658,

thence westerly by part of the southern boundary of L R No 2658 to its intersection with the eastern boundary of the Bahati Forest Reserve,

thence northerly by the eastern boundary of the Bahati Forest Reserve to the most south-western boundary of L R No 2655,

thence northerly by the north-western boundary of L R No 2655, westerly and northerly by the southern and western boundaries of L R No 6531/1 to its intersection with the western boundary of L R No 2912/1,

thence northerly by the western boundaries of L R No 2912/1 and L R No 7433 to its intersection with the Marmanet Forest Reserve,



thence northerly by the western boundary of the Marmanet Forest Reserve to its intersection with the Ngeleshwa Native Reserve which also forms a boundary of the Baringo Administrative District,

thence by the boundary of the Baringo Administrative District as defined in Proclamation No 54 dated the 25th February, 1924, in an anti-clockwise direction to the north-western corner of the Lembus Forest Reserve,

thence southerly and easterly by the western and southern boundaries of the Lembus Forest Reserve to its intersection with the Eldama River,

thence down-stream by the Eldama and Tiggeri Rivers to the most northern point of L R No 497/3/1,

thence south easterly by the north-eastern boundaries of L R No 497/3/1, L R No 497/4 and L R No 497/3/3 to its intersection with the Enarosura River which forms the western boundary of the Esageri Native Reserve,

thence generally southerly by the western boundary of the Esageri Native Reserve to its intersection with the north-western boundary of L R No 487/29

thence south-westerly by the north-western boundaries of L R No 487/29, L R No 487/30/1, L R No 487/31/1, L R No 6704 L R No 5620, L R No 487/34 L R No 4822, and the north-western and south-western boundaries of L R No 4823/2 to the northern-most beacon of L R No 487/3/1/2,

thence south-westerly by the north-western boundaries of L R No 487/3/1/2, L R No 487/3/1/1 and the north-western and south-western boundaries of L R No 5611,

thence generally southerly by the eastern boundaries of L R No 487/108, L R No 5297/2 to the northern-most beacon of L R No 6977,

thence north-easterly in a straight line to a beacon on the western boundary of L R No 487/107,

thence north-easterly and south-easterly by the northern boundary of L R No 487/107 to its intersection with the Mau stream,

thence up-stream to its intersection with the northern boundary of the eastern Mau Forest Reserve

thence south-westerly by the western boundary of the eastern Mau Forest Reserve to the southern-most beacon of L R No 6224,

thence southerly by a straight line to the most north-easterly beacon of L R No 4602,

thence generally southerly by the eastern boundaries of L R No 4602, L R No 4603, L R No 4597, L R No 4598, and the generally southern boundary of L R No 4600 to its intersection with the south-eastern corner of the south-western Mau Forest Reserve,

thence generally south-westerly by the southern boundary of the south-western Mau Forest Reserve, by its intersection with the Kericho Administrative District as defined by Proclamation No 54 dated 25th February, 1924,

thence generally south-easterly by the boundary of the Kericho Administrative District as defined in the afore-mentioned Proclamation to its intersection with the Amala River,

thence down-stream by the Amala River to its intersection with the Kenya-Tanganyika boundary,

thence south-easterly by the Kenya-Tanganyika boundary to its intersection with the southern Uaso Nyiro River,

thence by a line north-easterly to the most south-westerly point of Lake Magadi,

thence by the western shore of that lake to the most northerly point of Lake Magadi,

thence by a line north-easterly to the south-eastern corner of L R No 369 which also lies on the boundary of the Masai Native Land Unit,

thence northerly by the boundary of the Masai Native Land Unit to the point of commencement,

#### 9 *Aberdare*

Commencing at the southern-most beacon of L R No 373 which lies on the boundary of Masai Native Land Unit,

thence north-westerly by the boundary of Masai Native Land Unit to the southernmost beacon of L R No 1771,

thence north-easterly by the south-eastern boundary of L R No 1771, northerly by the western boundaries of L R No 6759, and L R No 6758 and northerly and easterly by the boundaries of L R No 5757 to its intersection with the Kenya and Uganda section of East African Railways,

thence northerly by the Kenya and Uganda section of the East African Railways to the south-western beacon of L R No 4731,

thence by the southern boundaries of L R No 4731, L R No 4631/R, L R No 7620, L R No 440/2, L R No 1157/5, L R No 1157/2, the western boundaries of L R No 1157/2 L R No 1157/3, the eastern and the northern boundaries of L R No 1157/4, the eastern boundary of L R No 465/4, the southern and eastern boundary of L R No 4050/R, the eastern boundaries of L R No 4049/R, L R No 4048/R, L R No 4048/1 L R No 4047/R, L R No 4046, L R No 6230, L R No 6660, L R No 1262/8, L R No 6593/4, L R No 4589, the southern and eastern boundary of L R No 6593/5 to the southern boundary of L R No 2658,

thence westerly by part of the southern boundary of L R No 2658 to its intersection with the eastern boundary of Bahati Forest Reserve,

thence northerly by the eastern boundary of Bahati Forest Reserve to the most south-western boundary of L R No 2655,

thence northerly by the north-western boundary of L R No 2655, westerly and northerly by the southern and western boundaries of L R No 6531/1 to its intersection with the western boundary of L R 2912/1,

thence northerly by the western boundary of L R No 2912/1, L R No 7433 to its intersection with the Marmanet Forest Reserve,

thence northerly by the western boundary of Marmanet Forest Reserve to its intersection with the Ngeleshwa Native Reserve,

thence generally northerly by the eastern boundary of the Ngeleshwa Native Reserve to its intersection with the north-western boundary of L R No 2463

thence easterly by the northern and western boundaries of L R No 2463, southerly by the eastern boundary of L R No 2464 to the north-western corner of Lariak Forest Reserve,

thence easterly and southerly by the northern and eastern boundaries of Lariak Forest Reserve to the north-western beacon of L R No 6386,

thence easterly by the northern boundaries of L R No 6386, L R No 2454/1, L R No 2453, L R No 452, southerly by the eastern boundaries of L R No 2452 to its intersection with the western boundary of Rumuti Township,

thence by the generally western and southern boundaries of that township to its intersection with the western boundary of L R No 5197,

thence south-easterly and easterly by the western and southern boundaries of L R No 5197 easterly by the southern boundary of L R No 5164 to the River Post

thence southerly by the River Post to the south-western beacon of L R No 2518,

thence easterly by the southern boundary of L R No 2518 to the western boundary of L R No 6319

thence generally southerly by the western and southern boundaries of L R No 6319 to the northern boundary of L R No 6393,

thence north-easterly and south-easterly by the northern and eastern boundaries of L R No 6393, south easterly by the eastern boundaries of L R No 2332 L R No 6357 L R No 6355 to the most eastern beacon of the latter,

thence south-westerly by the south-western boundary of L R No 6355 to the north-eastern boundary of L R No 2621

thence westerly by the northern boundaries of L R No 2621, L R No 2622, L R No 2623, L R No 2625, L R No 3448 to its intersection with the Suguroi River,

thence up-stream by the Suguroi River to its intersection with the southern boundary of L R No 2630,

thence southerly by a straight line to the trigonometrical beacon "Sattimma",

thence generally southerly by the general eastern boundary of the Naivasha Administrative District as defined by Proclamation No 54 dated the 25th February, 1924 to the point of commencement

#### 10 *Trans Nzoi*

Commencing at the point where the swam (or Suam) River emerges from the crater of Mount Elgon,

thence bounded generally northerly by part of the Kenya-Uganda boundary and generally easterly by the Kenya-Sudan boundary and by part of the Kenya-Ethiopia boundary to a point which lies directly north of the Summit of North Island,

thence southerly by a line to the Summit of North Island,

thence southerly by a straight line to the mouth of the Turkwel River

thence south-easterly by the shores of Lake Rudolf to Teleki's Volcano,

thence in a southerly direction to the western slopes of Mount Ajuk,

thence along the top of the lava escarpment which forms the eastern edge of the Sogota Valley until such escarpment merges into Mount Lorogi,

thence along the western slope of Mount Lorogi to the falls on the Amaya River,

thence north-westerly by part of the south-western boundary of the Northern Province as defined in Proclamation No 15 of the 10th April, 1947, to the intersection of the boundary of the Baringo Administrative District,

thence by the boundary of the Baringo Administrative District as defined in Proclamation No 54 of 25th February, 1924, in an anti-clockwise direction to its intersection with the boundary of the Elgeyo Administrative District as defined in the aforementioned Proclamation,

thence generally south-westerly by the northern boundary of the Uasin Gishu Administrative District as defined in the aforementioned Proclamation to the southern-most point of L R No 5336,

thence north-westerly by the south-western boundary of the Trans Nzoia Administrative District to the point of commencement

#### 11 *Uasin Gishu*

Commencing at the northern-most beacon of L R No 6457,

thence north-westerly and south-westerly by part of the western boundary of the Uasin Gishu Administrative District as defined in Proclamation No 54 of 25th February, 1924, to the southern corner of L R No 3167,

thence north-westerly to the western corner of L R No 3167,

thence north-westerly by a straight line to the trigonometrical beacon "Kakaroua",

thence on the following bearings and for the following distances, each terminating at a beacon —

00° 28'	18,107 feet,
341° 34'	6,168 feet,
356° 11'	5,054 feet,
07° 11'	3,800 feet,
292° 36'	2,244 feet,
07° 21'	5,944 feet,

thence by a bearing 265° 11' for a distance of 17,941 feet to a trigonometrical beacon "Osorongai",

thence westerly north-easterly and north-westerly by the generally western boundary of Uasin Gishu Administrative District to the junction of the Kabisi and Nzoia Rivers at the most southerly point of L R No 5336,

thence generally north-easterly by the northern boundary of the Uasin Gishu Administrative District to its intersection with the western boundary of the Elgeyo Administrative District as defined by Proclamation No 54 dated the 25th February, 1924,

thence by the Elgeyo Administrative District in a clockwise direction to its intersection with the Baringo Administrative District as defined in the aforementioned Proclamation

thence by the boundary of the Baringo Administrative District in an anti-clockwise direction to the north-western corner of the Lembus Forest Reserve,

thence northerly and north-westerly by the eastern and north-eastern boundaries of L R 5690/4, northerly and south-westerly by the eastern and north-western boundaries of L R No 7210, westerly and southerly by the northern and western boundaries of L R No 5687, southerly by part of the western boundary of L R No 5688 to its intersection with the northern boundary of the Nabkoi Forest Reserve,

thence south-westerly by the north-western boundary of the Nabkoi Forest Reserve to its intersection with the generally northern boundary of the northern Tinderet Forest Reserve,

thence westerly by the northern boundary of the northern Tinderet Forest Reserve to the north-eastern corner of L R No 6457,

thence westerly by the northern boundary of L R No 6457 to the point of commencement

12 *Mount Kenya*

Commencing at the summit of the Niandarawa (Mt Kinangop)  
thence generally north-easterly by the southern boundaries of South Nyeri, Embu and Meru Administrative Districts as defined in Proclamation No 54 of 25th February, 1924, to the eastern corner of Meru Administrative District

thence by a straight line north-easterly to a point near the northern end of the Lorian Swamp where the Lak Dera intersects the line of latitude 1° north

thence easterly by that line of latitude to its intersection with the western boundary of Somalia

thence northerly and north easterly by the western boundary of Somalia to its intersection with the southern boundary of Ethiopia,

thence generally westerly by the southern boundary of Ethiopia to a point which lies directly north of the Summit of North Island,

thence southerly by a line to the Summit of North Island,

thence southerly by a straight line to the mouth of the Turkwel River,

thence south-easterly by the shores of Lake Rudolf to Teleki's Volcano,

thence in a southerly direction to the western slopes of Mount Ajuk,

thence along the top of the lava escarpment which forms the eastern edge of the Sogota Valley until such escarpment merges into Mount Lorogi,

thence along the western slope of Mount Lorogi to the falls on the Amaya River,

thence north-westerly by part of the south-western boundary of the Northern Province as defined in Proclamation No 15 of 10th April, 1947, to the intersection of the boundary of the Baringo Administrative District as defined in Proclamation No 54 of 25th February, 1924,

thence southerly by the western boundary of the Baringo Administrative District to the southern-most corner of the Ngeleshwa Native Reserve,

thence generally northerly by the eastern boundary of the Ngeleshwa Native Reserve to its intersection with the north-western boundary of L R No 2463,

thence easterly by the northern and eastern boundaries of L R No 2463, southerly by the eastern boundary of L R No 2464 to the north-western corner of Lariak Forest Reserve,

thence easterly and southerly by the northern and eastern boundaries of Lariak Forest Reserve to the north-western beacon of L R No 6386,

thence easterly by the northern boundaries of L R No 6386, L R No 2454/1, L R No 2463 and L R No 2452, southerly by the eastern boundary of L R No 2452 to its intersection with the western boundary of Rumuruti Township

thence by the generally western and southern boundaries of Rumuruti Township to its intersection with the western boundary of L R No 5197,

thence south-easterly and easterly by the western and southern boundaries of L R No 5197 easterly by the southern boundary of L R No 5164 to the River Pesi

thence southerly by the River Pesi to the south-western beacon of L R No 2518,

thence easterly by the southern boundary of L R No 2518 to the western boundary of L R No 6319,

thence generally southerly by the western and southern boundaries of L R No 6319 to the northern boundary of L R No 6393,

thence north-easterly and south-easterly by the northern and eastern boundaries of L R No 6393, south-easterly by the eastern boundaries of L R No 2532 L R No 6357 and L R No 6355 to its eastern-most beacon,

thence south-westerly by the south-western boundary of L R No 6355 to the north-eastern boundary of L R No 2621,

thence westerly by the northern boundaries of L R No 2621, L R No 2622, L R No 2623, L R No 2625 and L R No 3448 to its intersection with the Suguroi River,

thence up-stream by the Suguroi River to its intersection with the southern boundary of L R No 2630

thence southerly by a straight line to the trigonometrical beacon "Sattimma",

thence generally southerly by the general eastern boundary of the Naivasha Administrative District as defined in Proclamation No 54 of 25th February, 1924, to the point of commencement

13 *Ukamba*

Commencing at the intersection of the Southern Uaso Nyiro River with the Kenya-Tanganyika boundary,

thence by a line north-easterly to the most south-westerly point of Lake Magadi,

thence by the western shore of that lake to the most northerly point of Lake Magadi,

thence by a straight line north-easterly to the south-eastern boundary of L R No 369 which also lies on the boundary of the Masai Native Land Unit

thence easterly by the boundary of that Native Land Unit to its intersection with the Athi River,

thence generally easterly down-stream by the Athi River to its intersection with the boundary of the Athi River Trading Centre

thence northerly and easterly by the western and northern boundaries of that Trading Centre to its intersection with the Athi River which also forms the north-western boundary of the Machakos Administrative District as defined in Proclamation No 54 of 25th February, 1924,

thence north-easterly by the north-western boundary of that Administrative District to its intersection with the Ndauugu River,

thence by that river up-stream to its intersection with the north-western boundary at original L R No 290

thence north-easterly and south-easterly by part of the north-eastern and the whole of the north-western boundary of L R No 290 to the north-western corner of the original L R No 295,

thence north-easterly, north-westerly and again north-easterly by the generally north-western boundary of L R No 295 to its intersection with the Chania River,

thence by that river up-stream to its intersection with the eastern point of L R No 5287 which lies on the western boundary of the Naivasha Administrative District as defined in the aforementioned Proclamation,

thence generally northerly by the western boundary of that Administrative District to the southern boundary of the South Nyeri Administrative District as defined in the aforementioned Proclamation,

thence generally north-easterly by the southern boundaries of South Nyeri, Embu, Meru Administrative Districts to the eastern corner of the Meru Administrative District which also forms the northern-most corner of the boundary of the Kitui Administrative District as defined in the aforementioned Proclamation,

thence south-easterly and south-westerly by the whole of the north-eastern and south-eastern boundaries of that Administrative District to the north-eastern corner of Teita Administrative District as defined in the aforementioned Proclamation,

thence westerly by the northern boundary of that Administrative District to its intersection with the Kenya-Tanganyika boundary,

thence by that boundary north-westerly to the point of commencement

14 *Kiambu*

Commencing at the southern-most beacon of L R No 373,

thence bounded generally northerly by a part of the generally eastern boundary of the Naivasha Administrative District as defined by Proclamation No 54 dated the 25th February, 1924 to the eastern point of L R No 5287 on the Chania River,

thence by that river (which forms a part of the south-western boundary of the Fort Hall Administrative District) down-stream to the north-western corner of original L R No 295

thence south-westerly, south-easterly and again south-westerly by the generally north-western boundary of that portion to its intersection with the north-eastern boundary of original L R No 290,

thence north-westerly and south-westerly by a part of the north-eastern and the whole of the north-western boundary of that portion to its western corner on the Ndarugu River,

thence by that river down-stream to its junction with the Athi River,

thence south-westerly by the north-western boundary of Machakos Administrative District as defined in the aforementioned Proclamation to the intersection with the northern boundary of Athi River Trading Centre,

thence westerly and southerly by the northern and western boundaries of Athi River Trading Centre to its intersection with the Kenya and Uganda section of the East African Railways,

thence northerly by the Kenya and Uganda section of the East African Railways to its intersection with the southern boundary of Nairobi City,

thence by the City boundary in an anti-clockwise direction to its intersection with the western boundary of Karura Forest Reserve,

thence northerly by the western boundary of Karura Forest Reserve to its intersection with the Karura River,

thence up-stream by that river to its junction with the Mutigutu River,

thence up-stream by the Mutigutu River to its intersection with the boundary of the Kikuyu Native Land Unit,

thence north-westerly and south-westerly by the boundary of the Kikuyu Native Land Unit to the southern-most beacon of L R No 4713/1 which lies on the Kenya and Uganda section of the East African Railways

thence southerly by the Kenya and Uganda section of the East African Railways to the south-eastern beacon of L R No 4885/R

thence westerly by the southern boundaries of L R No 4885/R and L R No 4885/7 to the south-western beacon of L R No 4885/7 which lies on the boundary of the Muguga Forest Reserve,

thence by the boundary of the Muguga Forest Reserve in an anti-clockwise direction to a point which lies on a bearing of  $93^{\circ} 25'$  approximately and distance 30 300 feet approximately from the southern-most beacon of L R No 373,

thence on an approximate bearing of  $273^{\circ} 25'$  and approximate distance of 30,300 feet to the point of commencement

*Note—The boundaries of the aforementioned electoral areas are delineated on Boundary Plan No 235 deposited in the Records Office of the Survey of Kenya, Nairobi*

## PART B

### *Electoral Areas*

#### 1 *Central Electoral Area*

This electoral area shall include—

(a) the Administrative Districts of Nairobi, Kiambu, Fort Hall, South Nyeri, North Nyeri, Embu, Meru, Northern Frontier, and

(b) a portion of the Masai District the boundaries of which are described as follows —

Commencing at the intersection of the Uaso Nyiro River with the Kenya-Tanganyika boundary

thence up-stream by that river to its intersection with the Kijabe-Narok-Guaso Nyiro main road at Guaso Nyiro Trading Centre,

thence easterly by that road to its intersection with the generally north-eastern boundary of the Masai District,

thence generally south-easterly by that boundary to its intersection with the Athi River-Kajiado-Longido main road,

thence generally southerly by that road to its intersection with the Kenya-Tanganyika boundary,

thence north-westerly by that boundary to the point of commencement

Provided, however, that all townships and trading centres intersected by the Athi River-Kajiado-Longido main road forming the eastern boundary shall be included in their entirety and that all townships and trading centres intersected by the Uaso Nyiro River and the Kijabe-Narok-Guaso Nyiro Road forming the western boundary, shall be excluded in their entirety

#### 2 *Eastern Electoral Area*

This electoral area shall include—

(a) the Administrative Districts of Mombasa, Kwale, Kilifi, Tana River, Lamu, Teita, Machakos, Kitui, and

(b) that portion of the Masai Administrative District lying to the east of the Athi River-Kajiado-Longido main road, excluding in their entirety all townships and trading centres which are intersected by the said road

### 3 *Western Electoral Area*

This electoral area shall include—

(a) the Administrative Districts of Nakuru, Naivasha, Laikipia, Ravine, Baringo, Elgeyo, Turkana, West Suk, Trans Nzoia, Uasin Gishu, Nandi, Kisumu-Londiani, North Nyanza, Central Nyanza, South Nyanza, Kericho

(b) the area known as the Extension from Uganda, and

(c) that portion of the Masai District not included in the Central and the Eastern Electoral Areas

*Note—The boundaries of the aforementioned electoral areas are delineated on Boundary Plan No 213, deposited in the Survey Records Office, Department of Lands, Mines and Surveys Nairobi*

## PART C

### *Electoral Areas*

#### 1 *East Electoral Area*

This electoral area shall include—

(a) the Administrative Districts of Mombasa, Kwale, Kilifi, Tana River, Lamu, Taita, Machakos, Kitui, and

(b) that portion of the Masai Administrative District lying to the east of the Athi River-Kajiado-Longido main road, excluding in their entirety all townships and trading centres which are intersected by the said road

#### 2 *West Electoral Area*

This electoral area shall include—

(a) the Administrative Districts of Nairobi, Kiambu, Fort Hall, South Nyeri, North Nyeri, Embu, Meru, Northern Province, Nakuru, Naivasha, Laikipia Ravine, Baringo, Elgeyo, West Suk, Trans Nzoia, Uasin Gishu, Nandi, Kisumu, Londiani, North Nyanza, Central Nyanza, South Nyanza, Kericho, and

(b) the area known as extension from Uganda, and

(c) that portion of the Masai Administrative District not included in the East Electoral Area

*Note—The boundaries of the aforementioned electoral areas are delineated on Boundary Plan No 239 deposited in the Survey Records Office, Surveys of Kenya, Nairobi*

## PART D

### *Arab Electoral Area*

The Colony and Protectorate

## SECOND SCHEDULE

### RULES FOR THE PREPARATION OF REGISTERS OF VOTERS

Notice inviting  
claims of  
voters

1 (1) When it is necessary to prepare a new register for any electoral area, the Chief Secretary shall publish a notice in the Gazette calling upon all persons residing in such area who are desirous of having their names registered in the register for such electoral area to forward their claims, within thirty days from the date of the publication of the notice, to the registering officer appointed for such electoral area

(2) In the case of registers for any of the electoral areas described in Part A of Schedule I to the Ordinance, every claim shall be made in the Form A appended to these Rules

(3) In the case of registers for any of the electoral areas described in Part B of Schedule I to the Ordinance, every claim shall be made in the Form B appended to these Rules

(4) In the case of registers for any of the electoral areas described in Part C of Schedule I to this Ordinance, every claim shall be made in the Form C appended to these Rules

(5) In the case of the register for the electoral area described in Part D of Schedule I to the Ordinance, every claim shall be made in the Form D appended to these Rules

(6) Every claim shall be signed by the claimant

Preparation of  
register of  
voters

2 (1) Within twenty-one days of the expiration of the aforesaid period of thirty days the registering officers of the electoral areas concerned shall prepare a separate register for each of the electoral areas in respect of which the notification has, under sub-rule (1) of rule 1 of these Rules, been published



(2) In preparing the register, the registering officer shall classify the names of all voters into alphabetical divisions in accordance with the initial letter of the surname of each voter. The registering officer shall then allot a serial number to each name registered. The first serial number shall, in the case of each alphabetical division, be unity. The alphabetical letter of the division together with such serial number shall form the serial number of the voter, and is hereinafter so referred to.

(3) Upon completion of the register the registering officer shall certify the register in the following form—

I, \_\_\_\_\_, Registering  
Officer for the \_\_\_\_\_ Electoral Area  
of \_\_\_\_\_ hereby certify  
that this register is the register of voters for the aforesaid  
electoral area as at the date of this certificate.

Dated at \_\_\_\_\_ on the \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_

*Signature of Registering Officer*

and the register so certified shall come into operation on the date of such certificate.

3 On the completion of the register a copy thereof shall be forwarded by the registering officer to the Chief Secretary who shall, within one month of the receipt thereof, cause the register to be published in the Gazette. The Chief Secretary shall, at the time of publication, give notice in the English language in the principal newspapers circulating in the Colony that copies of the registers have been published as aforesaid, and that the registers, or copies thereof, are open for inspection at all reasonable hours of the day at the offices of the registering officers of the several electoral areas, and at such other places, if any, as shall be specified in the notice.

Notice of  
completion of  
registers

4 (1) (a) Every person who is qualified to have his name entered on the register for any electoral area and whose name is omitted from such register who claims to have it inserted therein may apply to the registering officer for such electoral area to have his name so inserted.

Claims and  
objections

(b) For the purpose of this rule the words "omitted from such register" shall be deemed to include the name of any person who is registered in one electoral area and who has qualified by residence to have his name inserted in the register for another electoral area.

(2) Every person whose name appears in the register for any electoral area and who objects to the name of any other person or to his own name appearing therein may apply to the registering officer for such electoral area to have such name expunged from the register.

(3) (a) An application under sub-rule (1) or sub-rule (2) of this rule shall be made in writing not later than two weeks after the date of the publication of the register in the Gazette and shall set out the grounds of the application and shall give an address for the receipt of notices.

(b) Such application shall be accompanied by the sum of two shillings and fifty cents which shall be returned to the applicant by the registering officer after the claim or objection, as the case may be, has been heard as provided in sub-rule (4) of this rule.

Provided that, if the application is, in the opinion of the registering officer, frivolous or vexatious such sum shall be forfeited to His Majesty.

(4) The registering officer shall within two days of the expiration of the aforesaid period of two weeks give notice to each applicant and to each person objected to that he will on a day specified in the notice being not less than ten days from the date of the notice inquire into all claims and objections.

(5) (a) Within three days after the said inquiry the registering officer shall insert in the register and allot a serial number to the name of any applicant whose claim to have his name so inserted has been proved to the satisfaction of the registering officer, and shall expunge from the register the name of any person who has been proved to the satisfaction of the registering officer to be disqualified from having his name retained in the register.



Provided that no name, to which an objection has been raised under this rule, shall be expunged from the register unless the applicant appears at the inquiry in person, or by a representative duly authorized by him in writing, in support of his objection and proves to the satisfaction of the registering officer that the person in respect of whom he has raised the objection is disqualified from having his name retained in the register

(b) The registering officer shall, at the time of entering in the register the name and serial number of any person to whom paragraph (b) of sub-rule (1) of this rule applies, notify in writing the registering officer for the electoral area in which such person formerly resided and is registered, and such notification shall be sufficient authority for the registering officer to whom it is addressed to expunge from the register the name of such person

(c) The registering officer shall as soon as possible forward a list of the names together with the serial numbers so inserted in or expunged from the register to the Chief Secretary who shall cause such list to be published in the Gazette

Appeal from  
decision of  
registering  
officer

5 (1) Any applicant under rule 4 of these Rules who is dissatisfied with the decision of the registering officer may appeal to the Supreme Court

(2) The Supreme Court may make rules with respect to the lodging and hearing of appeals under this rule, and any such rules may, without prejudice to the generality of the power hereby conferred, provide for the fees to be paid upon the lodging of an appeal

#### *Semi-annual Revision of Voters*

Notice inviting  
claims

6 (1) On the 30th June and the 31st December in every year the Chief Secretary shall publish a notification in the Gazette calling upon all persons desirous of having their names inserted in any register for any electoral area to forward their claims to the registering officer for such area. Such claims shall reach the registering officer within thirty days of the publication of the aforesaid notification

(2) If any claim is received after the aforesaid period of thirty days has expired it shall not be considered for the revision in respect of which it was made, but shall be placed on record and receive consideration when the next semi-annual revision is undertaken

(3) This rule shall come into operation on the 31st December, 1952

Preparation of  
revised registers

7 (1) Every registering officer shall, not later than twenty-one days after the aforesaid period of thirty days, prepare a revised register in accordance with the provisions of sub-rule (2) of rule 2 of these Rules and forward a copy of the revised register to the Chief Secretary together with a list of all names which have been inserted in and expunged from the register

(2) In preparing such register the registering officer shall include the names of all persons who appear to be entitled to have their names inserted therein, and shall expunge from the register the name of any person who is dead or who has become disqualified or who has permanently left the electoral area or who has not resided or carried on business or been employed in the electoral area for a period of not less than three months immediately preceding the preparation of the revised register. The registering officer shall also correct any mistake or supply any omission which appears to him to have been made in the register. It shall be the duty of the registering officer to post to each person, whose name has been expunged from the register under the provisions of this rule on the ground that such person has become disqualified or has left the electoral area or has not resided or carried on business or been employed in the electoral area within the preceding three months, an intimation that his name has been so expunged

(3) The Chief Secretary shall within fourteen days after the receipt of the registers cause a list of all names of persons which have been inserted in and expunged from the register to be published in the Gazette, and notice shall be given in the principal newspapers circulating in the Colony that the list of names so inserted and expunged has been published as aforesaid, and that registers, or copies thereof, are open for inspection at all reasonable hours of the day at the offices of the registering officers of the several electoral areas, and at such other places, if any, as shall be specified in the notice. Such notice shall include a short statement as to the manner in which and the time within which claims and objections may be made

8 Claims and objections in relation to the revised register shall be made and determined in accordance with the provisions of rule 4 of these Rules and there shall be the same right of appeal from the decision of the registering officer as is conferred by rule 5 of these Rules

Claims and objections with regard to revised register

9 No application to the registering officer under rule 4 of these Rules, nor any appeal to the Supreme Court under rule 5 of these Rules, which is pending when notice of an election is given shall prejudice the operation, as respects the election, of the decision in respect of which the application or the appeal has been made, and anything done in pursuance of the decision shall be as good as if no such application or appeal had been made and shall not be affected by the decision on the application or the appeal

Poll not to be affected by pending applications and appeals

## FORM A

### COLONY AND PROTECTORATE OF KENYA

#### LEGISLATIVE COUNCIL ORDINANCE

To the Registering Officer of the Electoral Area of

I claim to have my name inserted in the register of voters for the election of a member to represent the Electoral Area

- 1 Name in Full (in block capitals)
- 2 Husband's Name (if a married woman)
- 3 Residential Address (on 1st January, 1952)
- 4 Postal Address
- 5 Number and date of Passport or Identity Card or Driving Licence or Personal Tax Receipt or Trading Licence or Birth Certificate
- 6 Occupation
- 7 Place of Business (on 1st January, 1952)
- 8 Date of Arrival in Kenya

I hereby certify that I am qualified to have my name inserted in the Register of Voters for the above area, and that I do not suffer from any of the disqualifications set out in section 9 of the Legislative Council Ordinance

Date

*Signature of Applicant*

*Note*—A person cannot be registered in more than one electoral area at the same time, but that electoral area may be either the area in which he lives or in which he carries on business or is employed. A person registered in one electoral area cannot transfer to another without producing to the registering officer of the area to which he desires to be transferred a certificate from his original area to the effect that his name has been expunged from the roll of that area (*Vide* section 10 of the Legislative Council Ordinance)

[P.T.O.—On reverse]

*Section 9 of the Legislative Council Ordinance*

9 No person shall be entitled to have his name on any register of voters if such person—

- (a) (i) is not a British subject, or a citizen of the Republic of Ireland, of European origin or descent,
- (ii) is not a British subject of Indian origin or descent or is not an Indian under the suzerainty or protection of His Majesty, or
- (iii) is not a male Arab whether a British subject or under the protection or suzerainty of His Majesty, able to write Arabic or Swahili in Arabic characters,
- (b) has not attained the age of twenty-one years,
- (c) is, in the opinion of a competent court, of unsound mind,
- (d) has been convicted of a criminal offence and has been sentenced to imprisonment for a term of twelve months or more and has not received a pardon

Provided that such disqualification shall cease two years after the date of the expiration of the sentence,

- (e) has, since the publication of the last revised register of voters, received relief from Government funds or from the funds of any local authority,
- (f) has been declared bankrupt or insolvent by a competent court in the Colony or elsewhere and has not received his discharge,
- (g) is suffering from any disqualification provided by any enactment for the time being in force,
- (h) has not ordinarily resided in the Colony for at least one period of twelve consecutive months at any time prior to the date of his application to have his name entered on the register,
- (i) has not resided, or carried on business or been employed, in the electoral area in which the application to have his name entered on the register is made for a period of not less than three months immediately preceding the date of such application

*Note*—(i) The provisions of paragraph (i) of section 9 of the Ordinance do not apply to the preparation of the new register for use in connexion with the general election to be held after the dissolution of the Legislative Council in existence on the 1st day of January, 1952,

(ii) The words “(on the 1st January, 1952)” shall apply only to the preparation of the new register for use in connexion with the aforesaid general election and shall be omitted from the form thereafter

**FORM B****COLONY AND PROTECTORATE OF KENYA****LEGISLATIVE COUNCIL ORDINANCE**

To the Registering Officer, the  
Electoral Area

Indian

I claim to have my name inserted in the register of voters for the election of the Indian Member(s) not being (a) Muslim(s) to represent the Indian Electoral Area

- 1 Name (in full)
- 2 Surname (if any)
- 3 Father's Name (in full)
- 4 In case of Married Women or Widows, Husband's name (in full)
- 5 Address (Residential and Postal) (on 1st January, 1952)
- 6 Occupation
- 7 Place of Business (on 1st January, 1952)
- 8 Date of Arrival in Kenya
- 9 Number and Date of Passport or Identity Card or Driving Licence or Personal Tax Receipt or Trading Licence or Birth Certificate

I hereby certify that I am qualified to have my name inserted in the Register of Voters for the above area, and that I do not suffer from any of the disqualifications, set out in section 9 of the Legislative Council Ordinance, of which I have full knowledge, the same having been read by/explained to me as reproduced on the reverse of this form

Date

*Signature or thumb print mark of Applicant*

*Note*—A person cannot be registered in more than one electoral area at the same time but that electoral area may be either the area in which he lives or in which he carries on business or is employed. A person registered in one electoral area cannot transfer to another without producing to the registering officer of the area to which he desires to be transferred a certificate from his original area to the effect that his name has been expunged from the roll of that area (*Vide* section 10 of the Legislative Council Ordinance)

[P 10—On reverse]

*Section 9 of the Legislative Council Ordinance*

9 No person shall be entitled to have his name on any register of voters if such person—

- (a) (i) is not a British subject, or a citizen of the Republic of Ireland, of European origin or descent
- (ii) is not a British subject of Indian origin or descent, or is not an Indian under the suzerainty or protection of His Majesty or
- (iii) is not a male Arab, whether a British subject or under the protection or suzerainty of His Majesty, able to write Arabic or Swahili in Arabic characters,
- (b) has not attained the age of twenty-one years,
- (c) is, in the opinion of a competent court, of unsound mind,
- (d) has been convicted of a criminal offence and has been sentenced to imprisonment for a term of twelve months or more and has not received a pardon

Provided that such disqualification shall cease two years after the date of the expiration of the sentence,

- (e) has, since the publication of the last revised register of voters, received relief from Government funds or from the funds of any local authority,
- (f) has been declared bankrupt or insolvent by a competent court in the Colony or elsewhere and has not received his discharge,
- (g) is suffering from any disqualification provided by any enactment for the time being in force,
- (h) has not ordinarily resided in the Colony for at least one period of twelve consecutive months at any time prior to the date of his application to have his name entered on the register,
- (i) has not resided, or carried on business or been employed, in the electoral area in which the application to have his name entered on the register is made for a period of not less than three months immediately preceding the date of such application

*Note*—(i) The provisions of paragraph (i) of section 9 of the Ordinance do not apply to the preparation of the new register for use in connexion with the general election to be held after the dissolution of the Legislative Council in existence on the 1st day of January, 1952,

(ii) The words “(on the 1st January, 1952)” shall apply only to the preparation of the new register for use in connexion with the aforesaid general election and shall be omitted from the form thereafter

FORM C  
COLONY AND PROTECTORATE OF KENYA

LEGISLATIVE COUNCIL ORDINANCE

To the Registering Officer, the Indian  
Muslim Electoral Area

I claim to have my name inserted in the register of voters for  
the election of the Indian Muslim Member to represent the  
Indian Muslim Electoral Area

- 1 Name (in full)
- 2 Surname (if any)
- 3 Father's Name (in full)
- 4 In case of Married Women or Widows, Husband's Name (in full)
- 5 Address (Residential and Postal) (on 1st January, 1952)
- 6 Occupation
- 7 Place of Business (on 1st January, 1952)
- 9 Number and Date of Passport or Identity Card or Driving Licence or Personal Tax Receipt or Trading Licence or Birth Certificate

I hereby certify that I am qualified to have my name inserted in the Register of Voters for the above area, and that I do not suffer from any of the disqualifications, set out in section 9 of the Legislative Council Ordinance, of which I have full knowledge, the same having been read by/explained to me as reproduced on the reverse of this form

Date

*Signature or thumb-print mark of Applicant*

*Note*—A person cannot be registered in more than one electoral area at the same time, but that electoral area may be either the area in which he lives or in which he carries on business or is employed. A person registered in one electoral area cannot transfer to another without producing to the registering officer of the area to which he desires to be transferred a certificate from his original area to the effect that his name has been expunged from the roll of that area (*Vide* section 10 of the Legislative Council Ordinance)

*Section 9 of the Legislative Council Ordinance*

9 No person shall be entitled to have his name on any register of voters if such person—

- (a) (i) is not a British subject, or a citizen of the Republic of Ireland, of European origin or descent,
- (ii) is not a British subject of Indian origin or descent, or is not an Indian under the suzerainty or protection of His Majesty, or
- (iii) is not a male Arab, whether a British subject or under the protection or suzerainty of His Majesty, able to write Arabic or Swahili in Arabic characters,
- (b) has not attained the age of twenty-one years,
- (c) is, in the opinion of a competent court, of unsound mind,
- (d) has been convicted of a criminal offence and has been sentenced to imprisonment for a term of twelve months or more and has not received a pardon

Provided that such disqualification shall cease two years after the date of the expiration of the sentence,

- (e) has, since the publication of the last revised register of voters, received relief from Government fund or from the funds of any local authority,
- (f) has been declared bankrupt or insolvent by a competent court in the Colony or elsewhere and has not received his discharge,
- (g) is suffering from any disqualification provided by any enactment for the time being in force,
- (h) has not ordinarily resided in the Colony for at least one period of twelve consecutive months at any time prior to the date of his application to have his name entered on the register,
- (i) has not resided, or carried on business or been employed, in the electoral area in which the application to have his name entered on the register is made for a period of not less than three months immediately preceding the date of such application

*Note*—(i) The provisions of paragraph (i) of section 9 of the Ordinance do not apply to the preparation of the new register for use in connexion with the general election to be held after the dissolution of the Legislative Council in existence on the 1st day of January, 1952,

(ii) The words “(on the 1st January, 1952)” shall apply only to the preparation of the new register for use in connexion with the aforesaid general election and shall be omitted from the form thereafter

#### FORM D

To the Registering Officer of the Arab Electoral Area

I claim to have my name inserted in the register of voters for the election of an Arab Member of the Legislative Council

Name in full

Address and occupation

#### *Questions to be Answered by the Applicant*

- 1 State nationality
- 2 State age
- 3 Have you been convicted of a criminal offence and sentenced to imprisonment for a term of twelve months or more? If so, have you received a pardon?  
If imprisoned, when did such imprisonment expire?
- 4 Have you received relief from Government funds or from the funds of any local authority within twelve months of your application?
- 5 Have you been declared bankrupt or insolvent by a competent court in the Colony or elsewhere and not received your discharge?
- 6 When did you first enter the Colony?
- 7 Can you write Arabic or Swahili in Arabic characters?

*Signature or thumb print mark of applicant.*

THIRD SCHEDULE

- 1 Rule 18 is amended—  
(a) by inserting after the words “in Part A’ in sub-rule 1 the words “and Part D”,  
(b) by adding the following new sub-rule—  
(3) Each ballot paper for use in connexion with the election of members for the electoral areas described in Part C of Schedule I to the Ordinance shall, so far as is possible, be in the form D annexed to these rules and shall otherwise conform to the provisions of sub-rule (2) of this rule
- 2 Rule 28 is amended by adding thereto the following proviso—  
Provided that a ballot paper used in connexion with the election of members for the Central electoral area shall not be void by reason only of the fact that votes are given thereon to two candidates
- 3 There shall be substituted for Rule 32 the following rule—  
32 When the counting of the votes has been completed, the returning officer shall—  
(a) in the case of the election of one member for any electoral area, declare to be elected the candidate to whom the greatest number of votes has been given, and  
(b) in the case of the Central electoral area declare to be elected the two candidates to whom the greatest number of votes has been given
- 4 There shall be substituted for Form C annexed to the Rules the following—

FORM C

Form C

Rule 18 (2) of Schedule III to the Ordinance

THE COLONY AND PROTECTORATE OF KENYA

THE LEGISLATIVE COUNCIL ORDINANCE

THE INDIAN ELECTORAL AREA

BALLOT PAPER

Name	Symbol of Identification
1 A B	
2 C D	
3 E F	
4	
5	
6	
7	
8	
9	
10	

Official Mark

SERIAL NO

[BACK]

BALLOT PAPER

Official Mark

Election for the Electoral Area

Date

Voter's Serial Number in Register

SERIAL NO

THE COLONY AND PROTECTORATE OF KENYA

The Legislative Council Ordinance

THE INDIAN ELECTORAL AREA

COUNTERFOIL OF BALLOT PAPER

Voter's Serial Number in Register

5 There shall be added next after Form C the following new form—

FORM D

Form C

Rule 18 (3) of Schedule III to the Ordinance

THE COLONY AND PROTECTORATE OF KENYA

THE LEGISLATIVE COUNCIL ORDINANCE

THE INDIAN MUSLIM ELECTORAL AREA

BALLOT PAPER

Name	Symbol of Identification
1 A B	
2 C D	
3 E F	
4	
5	
6	
7	
8	
9	
10	

Official mark

SERIAL NO  
[BACK]

BALLOT PAPER

Official  
Mark

Election for the  
Muslim Electoral Area

Date

Voter's Serial Number in Register

SERIAL NO  
THE COLONY AND  
PROTECTORATE OF  
KENYA  
*The Legislative Council  
Ordinance*

THE  
THE INDIAN MUSLIM  
ELECTORAL AREA

COUNTERFOIL OF  
BALLOT PAPER

Voter's Serial Number  
in Register



## MEMORANDUM OF OBJECTS AND REASONS

This Bill will make such amendments to the Legislative Council Ordinance (hereinafter referred to as the principal Ordinance) as are necessary pending the constitutional settlement and will in addition make amendments necessary to expedite the preparation of the registers of voters

*Clause 2* will amend section 3 of the principal Ordinance to provide that there shall be fourteen European members instead of eleven and six Indian members instead of five, and also to provide for separate electoral areas for Indians, not being Muslims and for Indian Muslims

Consequent upon the curtailment of the procedure for compiling the registers of voters the need for a revising officer will no longer exist *Clause 3* accordingly repeals section 5 of the principal Ordinance

*Clause 4* will make certain amendments to section 9 of the principal Ordinance which the Select Committee appointed to consider the desirability of amending the Legislative Council Ordinance has recommended

*Clause 5* will amend section 12 of the principal Ordinance to provide for the separate registration of Indians other than Muslims and Indian Muslims

*Clause 6* reproduces with amendment the provisions of section 4 of the Legislative Council (Temporary Amendments) Ordinance The clause restricts the right of each voter to vote for only one candidate except in respect of the Central electoral area which is a two member constituency

*Clause 7* amends Schedule I to the principal Ordinance in two respects, namely, by providing for three additional European electoral areas and by redefining the boundaries of many of the existing electoral areas set out in Part A so as to create the three new electoral areas

The second amendment effected by *clause 7* is the inclusion of a new Part C defining the Indian Muslim electoral areas and the re-insertion as Part D of the existing Part C of the Schedule which describes the Arab electoral area and which was inadvertently omitted when the laws were revised in 1948

*Clause 8* will substitute for Schedule II in which are set out the rules for the preparation of the registers of voters the rules in the Second Schedule to this Bill The rules in the Second Schedule will considerably decrease the length of time required for the preparation of the registers and will, furthermore, ensure that the hearing of claims and objections and appeals will not have the effect of delaying an election Under the new rule 1 the time within which voters must forward claims for registration is reduced from forty-two to thirty days and under rule 2 the registering officer is required to prepare the register within twenty-one days of the expiration of the thirty days allowed under rule 1 By a new sub-rule (3) of rule 2 the registering officer is, upon completion of the register, required to certify it At present the register cannot be certified until after all claims and objections have been made and any appeals arising thereout have been heard by the revising officer

Under the new rule 4 (3) the time within which notice of a claim or objection must be given to the registering officer is reduced from four to two weeks and the registering officer is under sub-rule (4) required to notify the applicant of the date on which he will hear claims and objections within two days of the expiration of the period of two weeks At present there is no time limit within which the registering officer must notify the applicant of the date for hearing claims and objections

At present the rules require the registering officer to insert or, as the case may be expunge the names of persons whose applications he has heard as soon as possible after his inquiry into their claims and objections Under the new sub-rule (5) (a) of rule 4 he is required to do this within three days after the inquiry

The existing rules give a right of appeal from the decision of the registering officer to the revising officer and from the decision of the revising officer to the Supreme Court. It is considered that an appeal direct to the Supreme Court will be sufficient and, since the number of appeals from the decision of the registering officer is so small, will not place any undue burden on the Supreme Court. Rule 5 of the present rules has accordingly been omitted and instead rule 5 of the Second Schedule provides for an appeal to the Supreme Court.

The requirement under rule 6 of the present rules that the registering officer shall certify the register having been inserted as sub-rule (3) of rule 2, rule 6 has been omitted.

The rules relating to the revision of the registers have been amended in two respects, namely, to provide in accordance with the report of the Select Committee appointed to consider the desirability of amending the Legislative Council Ordinance, for semi-annual instead of annual revision and to expedite the preparation of the revised registers. These objects have been achieved by the new rule 6 providing for the publication of notifications calling on persons desirous of having their names registered on the 30th June and 31st December in each year and for persons to send in their claims within thirty days of the date of publication of the notification. Rule 7 reduces the period within which the registering officer must complete the revision and forward a copy of the register to the Chief Secretary from thirty to twenty-one days.

Finally a new rule has been included which expressly provides that no claim or objection to the registering officer nor any appeal to the Supreme Court which is pending when notice of an election is given shall prejudice the operation, as respects the election, of the decision of the registering officer. The effect of this is that the register as certified in the manner required by sub-rule (1) of rule 2 will, for the purposes of that election, be conclusive for the purpose of determining whether or not a person is or is not entitled to vote.

The forms of claim annexed to the rules have been amended consequentially.

*Clause 9* will amend the rules for the election of members in Schedule III to the principal Ordinance to the extent rendered necessary by the provision for separate registers and the existence of a two member constituency in the Central electoral area. The opportunity has also been taken to amend rule 18 to provide that Arab voters shall use the same form of ballot paper as European voters. At present the rules do not provide any form of ballot paper for use in connexion with the election of an Arab Member.

Rule 18 has been amended so as to provide a separate ballot paper for use in connexion with the election of Indian non-Muslim members and of Indian Muslim members.

Under rule 28 if votes are given to more than one candidate on one ballot paper the ballot paper is declared to be void. A proviso has therefore been added to provide that a ballot paper used in connexion with the election of members in the two member Central electoral area shall not be rejected if votes are given to two candidates.

Rule 32 of Schedule III which relates to the declaration of the poll has been amended only so far as is necessary consequent upon the Eastern electoral area ceasing to be a two member electoral area.

Separate forms of ballot paper for use in connexion with the election of Indian non-Muslim and Indian Muslim members have been provided and the "Instructions" which now are included on Form B have been omitted as being unnecessary.

The present inaccurate state of the registers of voters is such that it is considered that for the forthcoming general election new registers should be prepared in respect of every electoral area. *Clause 10* will accordingly provide for this.

*Clause 11* provides that none of the amendments to the principal Ordinance made by the preceding clauses of the Bill shall affect the constitution of the present Legislative Council, and *Clause 12* will continue in force the provisions of sections 2, 3 and 4 of the Legislative Council (Temporary Amendments) Ordinance until the present Legislative Council is dissolved.

*Clauses 13 and 14 of the Bill provide respectively for the commencement and duration of the Ordinance*

If the provisions of this Bill become law additional expenditure of public money will be incurred but it is not possible to estimate the extent of such expenditure

Nairobi,  
20th November, 1951

JOHN WHYATT,  
*Attorney General*