



THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

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GOVERNMENT NOTICE No 1100

IN THE LEGISLATIVE COUNCIL OF THE COLONY
AND PROTECTORATE OF KENYA

**THE BRITISH STANDARD PORTLAND CEMENT
COMPANY LIMITED (BAMBURI FACTORY)
ORDINANCE, 1951 (AMENDMENT BILL)**

UNTO the Honourable the Legislative Council of the
Colony and Protectorate of Kenya in Council assembled

The Humble Petition of the British Standard Portland
Cement Company Limited, a limited liability Company in-
corporated in the Colony of Kenya and whose registered office
is situate at Sadler House, Sadler Street, in the city of Nairobi
in the said Colony, sheweth as follows —

1 That on the 29th day of September, 1951, His Excel-
lency the Governor of the Colony and Protectorate of Kenya
assented to the British Standard Portland Cement Company
Limited (Bamburi Factory) Ordinance, 1951, in the name of
His Late Most Gracious Majesty King George the Sixth

2 That since the said 29th day of September, 1951, your
Petitioner has proceeded with the erection of the factory and
works in accordance with the provisions of the said Ordinance
on lands vested in it by the said Ordinance and situate near
Bamburi in the Coast Province of the said Colony and Pro-
tectorate of Kenya

3 That your Petitioner is desirous that the title to its
lands vested in it by section 3 of the British Standard Portland
Cement Company Limited (Bamburi Factory) Ordinance,
1951, be registered under the provisions of the Registration of
Titles Ordinance (Cap 160, Laws of Kenya, 1948) with pro-
vision for the issue to your Petitioner of a Certificate of Title
under the said Ordinance subject to attachment thereto of a
suitable map or plan and the assessment for stamp duty in the
manner of a lease

4 That certain minor adjustments to the boundaries of
the lands so vested as aforesaid in your Petitioner by the said
Ordinance be effected in order that your Petitioner may pro-
ceed with its development programme in the most effective and
efficient manner possible and without interference with the
rights of the public in general and the rights of the adjoining
landowners in particular

5 That it is expedient in the public interest and in the interest of your Petitioner and in the interests of the development of the said Colony and Protectorate that the privileges and powers contained in the Bill hereunto annexed should be conferred upon the Registrar of Titles and your Petitioner and also that the line of the road to be constructed by your Petitioner as set forth in paragraph (ii) of the Second Schedule to the British Standard Portland Cement Company Limited (Bamburi Factory) Ordinance, 1951, be amended so as to give more direct access to the areas served thereby and that your Petitioner be granted certain rights of coral cutting without the use of explosives in the area referred to in paragraph (i) of the Second Schedule to the British Standard Portland Cement Company Limited (Bamburi Factory) Ordinance, 1951

6 That the objects of the said Bill cannot be effected without the authority of the Legislative Council

Your Petitioner therefore humbly prays that leave be given to bring in a Bill to your Honourable Council for effecting the objects and purposes aforesaid in the terms of the Bill hereunto annexed or in such other terms and with such other powers and provisions and subject to such conditions and regulations as to your Honourable Council may seem meet and your Petitioner will ever pray, etc

Dated at Nairobi this 23rd day of September, 1952

THE COMMON SEAL of British
Standard Portland Cement
Company Limited was hereunto
affixed in the presence of —

F MANDL, *Director*

R W JOHNSTON,
Director

ALFRED L LEIGH,
Secretary

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By Resolution in accordance with Standing Order No 97 (Standing Rules and Orders adopted by the Legislative Council on the 21st day of June, 1928, and amended by motion of the Legislative Council on the 25th day of July, 1934) Legislative Council has approved the introduction into Council of the following Bill —

**A BILL ENTITLED
AN ORDINANCE TO AMEND THE BRITISH
STANDARD PORTLAND CEMENT COMPANY
LIMITED (BAMBURI FACTORY) ORDINANCE,
1951**

WHEREAS by section 3 of the British Standard Portland Cement Company Limited (Bamburi Factory) Ordinance, 1951, certain lands more particularly described in the First Schedule to the said Ordinance were vested in the British Standard Portland Cement Company Limited but no provision was made for the registration of the title of the British Standard Portland Cement Company Limited to the said lands by the Registrar of Titles

AND WHEREAS it is desirable to effect an exchange of certain of the said lands with the Crown

AND WHEREAS it is desirable to give authority to the British Standard Portland Cement Company Limited to construct a more direct road of communication across its property

AND WHEREAS it is expedient to authorize the British Standard Portland Cement Company Limited to cut and extract coral blocks in the area of land referred to in the first paragraph of the Second Schedule to the British Standard Portland Cement Company Limited (Bamburi Factory) Ordinance, 1951, on certain terms and conditions

BE IT THEREFORE ENACTED by the Governor of the Colony and Protectorate of Kenya by and with the advice and consent of the Legislative Council thereof as follows —

1. This Ordinance may be cited as the British Standard Portland Cement Company Limited (Bamburi Factory) (Amendment) Ordinance, 1952, and shall be read and construed as one with the British Standard Portland Cement Company Limited (Bamburi Factory) Ordinance, 1951, hereinafter referred to as the principal Ordinance

Short title
No 61 of 1951

2. Section 3 of the principal Ordinance is amended as follows—

10 (a) by adding at the end thereof the words “and the Registrar of Titles shall pursuant to this section issue to the Company a Certificate of Title under the Registration of Titles Ordinance as if such lands had been vested in the Company by a grant under the Crown Lands Ordinance and shall take like action in respect thereof as in the case of such grant as aforesaid”,

Cap 160
Cap 155

(b) by numbering the said section amended as aforesaid as sub-section (1) of section 3 and by adding thereto two new sub-sections as follows—

20 (2) The Registrar of Titles before issuing the Certificate of Title aforesaid may require the Company to deposit with him for attachment to such

Certificate of Title a map or plan of the lands comprised therein with the several measurements thereof marked thereon and certified by a Government or licensed surveyor and countersigned by the Director of Surveys. 5

Cap 259

(3) There shall be payable in respect of the said Certificate of Title the like stamp duty under the Stamp Ordinance as would be payable in respect thereof if it were a lease

Amendment of
First Schedule
to principal
Ordinance

3. The First Schedule to the principal Ordinance is 10 amended by substituting for paragraph (ii) thereof the following —

(ii) All that piece of land containing by admeasurement 334 acres or thereabouts situate near Bamburi and lying to the west of Plots Nos 396 and 355 Mombasa 15 Mainland North Section I and at approximately 250 yards from the western boundaries of the said plots and bounded on the south by Plot No 67 (Revised) Mainland North Section I and on the west partly by Plot No 354 and partly by a portion of Plot No 337 20 known as "Aerodrome Reserve" and on the north by other Crown lands which said plot is more particularly shown together with the boundaries thereof coloured green and yellow on Plan Coast Lands Surveys (General) No 32 deposited at the Public 25 Map Office, Survey of Kenya, Nairobi

Amendment of
Second Schedule
to principal
Ordinance

4. The Second Schedule to the principal Ordinance is amended as follows—

(a) by adding at the end of paragraph (i) thereof a proviso as follows— 30

Provided that nothing in this paragraph contained shall be deemed to prohibit the Company for its own purposes from cutting coral blocks in the said portion otherwise than by blasting or the use of explosives, 35

(b) by substituting for paragraph (ii) thereof the following—

That the Company will construct and maintain a road of access for the use of the Company its officers and employees and the owners and occupiers 40 of the residential properties to the east and north of the Company's land described in the second paragraph of the First Schedule hereto The said road shall be constructed on a line to be approved by the Commissioner of Lands The said road shall be 45 completed within one and a half years from the coming into operation of this Ordinance and upon completion thereof the Company shall have the right to close off other roads or rights of way on the said land