



THE
OFFICIAL GAZETTE
OF THE
COLONY AND PROTECTORATE OF KENYA.
(SUPPLEMENT).

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Colony and Protectorate of Kenya.

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His Excellency the Acting Governor has approved of the following Bills being introduced into the Legislative Council.

R. W. LAMBERT,
Clerk to the Legislative Council.

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COLONY AND PROTECTORATE OF KENYA.

THE COTTON (TAX) AMENDMENT BILL, 1925.

Statement of Objects and Reasons.

The object of this amending Bill is to enable any district to be exempted from the provisions of the Cotton (Tax) Ordinance, 1923. The Principal Ordinance which imposed a tax of 6 cents on all cotton ginned in the Colony was not enacted primarily as a revenue measure but in order to equalise conditions in the Colony, particularly the Nyanza Province, with those in Uganda where such a tax had already been imposed. There is, however, no corresponding tax in Tanganyika and a demand has been made for the cotton growing districts adjacent to the Tanganyika border to be placed on an uniformity with Tanganyika. The present Ordinance will enable that object to be achieved.

A Bill

Intituled

An Ordinance to Amend the Cotton (Tax) Ordinance, 1923.

1. This Ordinance may be cited as "the Cotton (Tax) (Amendment) Ordinance," 1925," and shall be read as one with "the Cotton (Tax) Ordinance, 1923," hereinafter called "the Principal Ordinance."

5 2. The Principal Ordinance is amended by adding thereto the following section :—

Exemption of district from application of Ordinance.

“7. It shall be lawful for the Governor in Council from time to time by proclamation in the Gazette to exempt any district or districts in the Colony from the application of this
10 Ordinance.”

THE AGRICULTURAL PRODUCE EXPORT
(AMENDMENT) ORDINANCE, 1925.

Explanatory Memorandum.

The object of this Bill is to remove some difficulties that have been discovered in the practical working of block-stacking.

These difficulties arise from the fact that produce is frequently left in block-stack for a much longer time than was anticipated when the Agricultural Produce Export Ordinance, 1923, was introduced.

The railway cannot be responsible for the precise weight of bags of maize as maize which has been in block-stack gets drier with consequent loss of weight; also all bags are not of identical weight a small range of weight being allowed.

It is proposed therefore that the railway discharge its liability by handing over the number of bags of maize it has received.

As maize may become weevily if left in block-stack it is desirable to regrade maize before shipment and the bill provides for removal of maize that has deteriorated to the place where maize of the deteriorated quality is kept.

The Bill places the greater part of the loss consequent on regrading on the person who has left maize longest in block-stack.

A Bill

Intituled

An Ordinance Further to Amend the Agricultural Produce Export Ordinance, 1921.

Short title.

1. This Ordinance may be cited as "the Agricultural Produce Export (Amendment) Ordinance, 1925," and shall be read as one with "the Agricultural Produce Export Ordinance, 1921," (hereinafter called "the Principal Ordinance") and with all amendments thereto.

5

Amends
Section 10A (2).

2. Section 10A of the Principal Ordinance as amended by section 4 of the Agricultural Produce Export (Amendment) Ordinance, 1923, is hereby amended by inserting before the words "when produce" in the first line of subsection (2) the words "save as provided by subsections (3) and (4) of this section."

10

Amends
Section 10A (2).

3. The said section 10A of the Principal Ordinance is hereby further amended by deleting the word "quantity" in subsection (2) thereof and by substituting the words "number of bags."

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Amendment of
Section 10A of
the Principal
Ordinance.

4. The said section 10A of the Principal Ordinance is hereby further amended by adding thereto the following subsections :—

Incidence of
loss on
deteriorated
maize.

"(3) It shall be lawful for the Agricultural Department to regrade maize prior to shipment after it has been received in block-stack.

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“ When, on regrading, maize is found to have deteriorated, the loss shall as far as possible be borne proportionately by the person or persons who have left maize of that grade in block-stack, and the adjustment shall be made by the inspector
5 having regard to the period during which an owner has held maize in block-stack as shown by the books of the Uganda Railway Administration, and the maize so found to have deteriorated may be removed to the place allotted to the storage of maize of the quality to which it has deteriorated :

10 “ Provided that if the regraded maize does not fall within any of the prescribed grades or within any of those classes of maize for which an inspection certificate may be issued, it shall be lawful for the inspector to sell, destroy, or otherwise dispose of the said maize and apply the nett amount realised
15 (if any) firstly in defraying any charges which may be due to the Administration of the Uganda Railway for storing the said maize and secondly in crediting the balance to the person or persons entitled to credit under subsection (4) of this section.

20 “ (4) When maize has been removed from a block-stack of one grade to a block-stack of a lower grade, as provided by the last subsection, the Administration of the Uganda Railway shall enter in the stock-book a debit to the person or persons upon whom the loss due to deterioration has fallen, of the quantity of maize standing to his or their credit in the block-
25 stack of the grade in which the deterioration is found to have occurred, and shall credit that person or those persons with an equivalent quantity of maize in the block-stack to which the deteriorated maize has been removed.

Disposal of
deteriorated
maize.

30 “ (5) When the procedure prescribed by the last subsection has been complied with any receipt or certificate issued on the receipt of the maize for block-stacking shall be deemed to be amended accordingly.

Amendment of
receipts.

35 “ (6) Notification as to alteration of grade (if any) on regrading carried out under subsection 4 (3) shall be posted by the inspector to the owner or owners of the maize so regraded as soon as possible on completion of regrading.”

Notification
after
re-grading.