



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

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

Vol. XXXVII.—No. 56

NAIROBI, November 13, 1935

Price 50 Cents

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

CONTENTS

	PAGE
Govt. Notice No. 791—For Introduction into Legislative Council—A Bill to Amend the Arms (Traffic with Abyssinia) Ordinance, 1931	1207

SUPPLEMENT

KENYA PROCLAMATIONS, RULES AND REGULATIONS
(No. 42)

Colony and Protectorate of Kenya

GOVERNMENT NOTICE No. 791

His Excellency the Governor in Council has approved of the following Bill being introduced into the Legislative Council.

J. F. G. TROUGHTON,
Acting Clerk of the Legislative Council.

A Bill to Amend the Arms (Traffic with Abyssinia) Ordinance, 1931.

BE IT 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 Arms (Traffic with Abyssinia) (Amendment) Ordinance, 1935, and shall be read as one with the Arms (Traffic with Abyssinia) Ordinance, 1931, hereinafter referred to as the Principal Ordinance. Short title.
No. 29 of 1931.
2. The Principal Ordinance is hereby amended by the addition thereto of the following sections as sections 23, 24, 25 and 26 respectively :— Amendment of the Principal Ordinance.
 23. Evidence of the failure of any person to produce an authorization, or a permit or licence in any case where an authorization or a permit or licence is required by the provisions of this Ordinance shall be prima facie evidence of the commission of an offence by such person, and in any proceedings in any court relating to any charge under this Ordinance the burden of proving that an authorization or a permit or licence has been issued to the person charged shall lie on such person. Failure to produce permit, etc.
 24. Any magistrate, police officer, game warden or officer of Customs may seize any arms or ammunition in respect of which any offence against this Ordinance has been committed, or in respect of which he suspects an offence to have been committed and shall, save when he is himself a magistrate, immediately report such seizure to a magistrate. Seizure of arms and ammunition.

Cancellation
of permit, etc.
Confiscation
of arms.

25. Where any person is convicted of an offence against this Ordinance the court may—

- (i) recommend that any authorization, permit or licence which has been issued to such person under the provisions of this Ordinance be cancelled by the authority by whom it was issued; and
- (ii) order that any arms or ammunition in respect of which any such offence was committed be confiscated and forfeited to His Majesty.

Penalties.

26. (1) Any person who contravenes or fails to comply with any of the provisions of this Ordinance or who fails to observe any of the conditions or restrictions subject to or upon which any authorization, licence or permit has been issued under this Ordinance shall be guilty of an offence against this Ordinance.

(2) For every such offence against this Ordinance for which no penalty is specially provided in the Table in sub-section (3) of this section the offender shall be liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(3) Offences against the respective sections of this Ordinance set out in the first column of the following Table shall render the offender liable, on conviction, to the penalty or penalties respectively specified for such offences in the second column of the Table :—

THE TABLE.

Section of Ordinance to which offence has reference.	Penalties. (Fine and/or imprisonment.)
2	£500 or 3 years or both.
5	£50 or 6 months or both.
12	£500 or 3 years or both.
13	£100 or 12 months or both.
14	£500 or 3 years or both.
19	£500 or 3 years or both.

OBJECTS AND REASONS.

This amending Bill is designed to make provision for penalties in regard to offences against the Arms (Traffic with Abyssinia) Ordinance, 1931.

No expenditure of public moneys will be involved if the provisions of this Bill become law.