

Circular
EAST AFR. PROT.
38631

38631
Rec.^d
Res^d 15 AUG 16

Gen
Belfrage 378
1916
22 June
Last previous Paper.

Ordinance No VI of 1916
"The Customs (War Powers) Ordinance, 1916"
Nos. 2 authenticated + 10 printed copies, with
a.g.s. memo.

Cues. 8 May 1916 + 27 Aug 1916
(Printed copies to Library, noted)
Note
Aug 20/16

General Dept.
To Tempsom

LS 17.8.16

This Ord. seems to adopt the
provisions of the Customs (War Powers) Act 1916
Do - (No 2) Act 1916
Do - Act 1916

? Sanction L.F.

Jul 29/16

Mr Butler
Mr Harris

The note is a correct adaptation of the
provisions of the 3rd Schedule Act 1914
consolidated, with the exception of Sec 3
of the Provisional Act of 1915.

No doubt, however, this was considered

Ans N, 656, 14 Sept 16
ds/m

Next subsequent Paper.

inappropriate since E.A.P. does not, as the
U.K. does, possess a large number of
ports, and if a ship departs from ^{a port in} the
E.A.P. without due clearance it is
improbable that she will be found at
any other port in the Pacific

? As proposed

JR

9/9/16

fab

11.9.16

CAH
12 Sept 16

at me

EAST AFRICA PROTECTORATE
No. 378.

GOVERNMENT HOUSE,
NAIROBI,
BRITISH EAST AFRICA.

June 22nd, 1916.

38631

REC^d
JUN 15 1916

Sir,

I have the honour to transmit herewith two authenticated and ten printed copies of "The Customs (War Powers) Ordinance, 1916" as passed by the Legislative Council on the 9th instant, together with an explanatory memorandum by the Attorney General.

I have assented to the Ordinance in the name of His Majesty.

I have the honour to be,

Sir,

Your humble, obedient servant,

H. Conway Bejtich

GOVERNOR.

THE RIGHT HONOURABLE
ANDREW BONAR LAW, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S. W.

673

INCLOSURE No. 2

Is No. 3780 June 27 1916

38631
JUN 28 1916

THE CUSTOMS (WAR POWERS) ORDINANCE, 1915.

--ADDRESS--

STATEMENT OF OBJECTS AND REASONS.

The Bill to amend the law relating to Customs during the present war has been framed with the object of applying to the Protectorate the additional powers conferred on the Customs in the United Kingdom by the Customs (War Powers) Act, 1915, as amended by the Customs (War Powers) (No. 2) Act, 1915, and the Customs (War Powers) Act, 1916.

2. The Chief of Customs is of opinion that the provisions of the Customs (War Powers) Act, 1915, Sections 1 and 2 with reference to the shipment as ships stores of articles the exportation of which is prohibited, could usefully be applied to the Protectorate although so far there has been no reason to suppose that any such shipment has in the past been effected to evade the prohibitions in force.

3. The provisions of the Customs (War Powers) Act, 1915, Section 4, with regard to the entry in shipping documents of the person and destination to whom or to which licence has been given to export goods the exportation of which is otherwise prohibited have been adopted in order that any breach of the existing requirements of the Chief of Customs in that behalf may be punishable.

4. The provisions of the Customs (War Powers) Acts, 1915 and 1916, as to declarations of ultimate destinations have been inserted in the Bill. In all cases such declarations are required by the Chief of Customs

and

and the provisions of Clause 3 of the Bill give ample machinery for guarding against evasion.

5. Clause 4 of the Bill gives the Chief of Customs definite powers in relation to the seizure of imported goods if of suspected enemy origin. Subclause 2 of this Clause authorizes any action of the like nature taken before the enactment of the Bill.

6. The last Clause gives the Chief of Customs power at the direction of the Governor to act in anticipation of the issue of a proclamation prohibiting exports under the Customs (War Powers) Ordinance, 1915, and validates similar action taken prior to the enactment of this Bill.

7. The Bill is proposed with having regard to the reasons for its enactment may in my opinion be presented without previous reference to the Secretary of State.

8. A Comparative Table is annexed.

S. J. W. BIRTH
ATTORNEY GENERAL.

Nairobi,

The 19th day of June, 1916.

THE CUSTOMS (WAR POWERS) ORDINANCE, 1916.

COMPARATIVE TABLE.

Section.	Remarks.
Section 1.	Short Title.
Section 2.	Compare the Customs (War Powers) Act, 1915, Section 1.
Section 3.	Compare the Customs (War Powers) Act, 1915, Section 2.
Section 4.	Compare the Customs (War Powers) Act, 1915, Section 4.
Section 5. (1).	Compare the Customs (War Powers) (No. 2) Act, 1915, Section 1 (1).
(2).	Compare the Customs (War Powers) Act, 1915, Section 5 (2).
(3).	Compare the Customs (War Powers) Act, 1915, Section 2 (1).
(4).	Compare the Customs (War Powers) Act, 1916, Section 4.
(5).	Compare the Customs (War Powers) Act, 1916, Section 2 (2).
Section 6. (1).	Compare the Customs (War Powers) Act, 1915, Section 6. ✕
(2).	Compare the Customs (War Powers) Act, 1916, Section 5.
(3).	Compare the Customs (War Powers) Act, 1916, Section 1.

S. J. W. BIRTH

Section.	Remarks.
Section 7. (1)	Compare the Customs (War Powers) Act 1916, Section 3 (1).
(2).	Compare the Customs (War Powers) Act 1916, Section 3 (2).

So J. W. BARTH
ATTORNEY GENERAL,