

United Nations

Nations Unies

MASTER FILE

TRUSTEESHIP  
COUNCIL

CONSEIL  
DE TUTELLE

RESTRICTED

T/AC.14/15  
3 March 1949

ORIGINAL: ENGLISH

Fourth session

COMMITTEE ON ADMINISTRATIVE UNIONS

ESTABLISHMENT OF THE EAST AFRICA HIGH COMMISSION, ITS SERVICES  
AND ITS ADVISORY AND CONSULTATIVE BODIES

Memorandum prepared by the Secretariat

The Committee on Administrative Unions requested that the Secretariat prepare this paper relating to the East Africa High Commission and the services and advisory and consultative bodies established under the East Africa High Commission since its inception.

This paper is based on the pertinent information contained in The Official Gazette of the East Africa High Commission, Vol. I, Nos. 1-13, 1948, and Vol. II, Nos. 1 and 2, January 1949. In accordance with the provisions of the East Africa (High Commission) Order in Council, 1947, the Official Gazette is the High Commission's official paper where all Bills, all Acts, and all such other matters as the High Commission may consider should be published (part II, section 11). The Proclamation, made jointly by the Governors of Kenya, Tanganyika and Uganda and fixing the date on which the East Africa (High Commission) Order in Council 1947 should come into operation, was also to be notified in the Official Gazette (part I, section 2).

The Official Gazette furnishes, therefore, an up-to-date picture of functions already assumed by the High Commission and of all Bills, Acts, appointments and provisions made by it.

I. COMMENCEMENT OF OPERATION OF THE EAST AFRICA (HIGH COMMISSION) ORDER  
IN COUNCIL, 1947

By Proclamation No. 1 made jointly by the Governors of Kenya, Tanganyika and Uganda in accordance with part I, section 2 of the East Africa (High Commission) Order in Council, 1947, the date 1 January 1948 was fixed as the date upon which the Order in Council should come into operation (High Commission Proclamation No. 1, 1948; Gazette, Vol. I., No. 1, 31 January 1948).

/A. Appointment

A. Appointment of officers and secretariat

In accordance with part II, section 12. (1) and (2) of the East Africa (High Commission) Order in Council, 1947, the High Commission appointed the Administrator, the Member for Transport, the Member for Finance, the Postmaster General (High Commission Notice No. 1, 1948; Gazette Vol. I., No. 1, 31 January 1948), the Economic Secretary (High Commission Notice No. 9, 1948; Gazette, Vol. I., No. 3, 31 March 1948), the Legal Secretary (Gazette, Vol. I., No. 9, 1 September 1948) and the Commissioner of Customs (Gazette, Vol. II, No. 1, 1 January 1949). The Chief Clerk (High Commission Notice No. 23, 1948; Gazette, Vol. I, No. 8, 1 August 1948) and the Assistant Secretary (High Commission Notice No. 32, 1948; Gazette, Vol. I, No. 10, 30 September 1948) were appointed in the Office of the Administrator.

B. Signification of acts and decisions

On 26 July 1948 the High Commission announced that, with the exception of the cases specified in part II, section 8 of the East Africa (High Commission) Order in Council, 1947, all acts or decisions, or notifications thereof, of the said High Commission may be signified under the hand of either the Administrator, the Commissioner for Transport, the Finance Member or the Postmaster General, to the East Africa High Commission (High Commission Notice No. 26, 1948; Gazette, Vol. I, No. 8, 1 August 1948).

C. Designation of officers

In accordance with the powers vested in the East Africa High Commission by part II, section 12 (1) of the East Africa (High Commission) Order in Council, 1947, the High Commission, after consultation with the Central Legislative Assembly, ordered:

1. That the designation "a Member for Finance" referred to in paragraph (d) of section 12 (1) of part II of the Order in Council be changed to "a Finance Member"; and
2. That the designation "a Member for Transport" referred to in paragraph (g) of section 12 (1) of part II of the Order in Council be changed to "a Commissioner for Transport".

(High Commission Notice No. 14, 1948; Gazette, Vol. I, No. 4, 1 May 1948).

II. THE EAST AFRICA CENTRAL LEGISLATIVE ASSEMBLY

A. Meetings

The High Commission set the date 6 April 1948 for the first meeting of the Central Legislative Assembly (High Commission Proclamation No. 3, 1948;

/Gazette,

Gazette, Vol. I, No. 2, 28 February 1948). The second meeting took place on 31 August 1948 (High Commission Proclamation No. 5, 1948; Gazette, Vol. I, No. 6, 1 July 1948).

B. Appointment of Speaker

Sir Geoffrey Alexander Stafford Northcote was appointed Speaker of the Central Legislative Assembly in accordance with part III, section 16 (1) of the East Africa (High Commission) Order in Council, 1947 (High Commission Notice No. 6, 1948; Gazette, Vol. I, No. 2, 28 February 1948). Following the death of Sir Geoffrey Northcote, Sir Henry Guy Pilling was appointed Speaker (High Commission Notice No. 9, 1949; Gazette, Vol. II, No. 2, 31 January 1949).

C. Precedence among Members of the East African Central  
Legislative Assembly

In accordance with part III, section 25 (1) and (2) of the East Africa (High Commission) Order in Council, 1947, the High Commission directed that precedence among the ex-officio Members should be in the following order: The Administrator, The Member for Transport, The Member for Finance, The Postmaster General, The Commissioner of Customs (when appointed), The Economic Secretary, and The Legal Secretary (High Commission Notice No. 7, Gazette, Vol. I, No. 2, 28 February 1948).

The High Commission also directed that among the Nominated Official Members precedence should be in the following order: The Nominated Official Member appointed by the Governor of Kenya, The Nominated Official Member appointed by the Governor of Tanganyika, and The Nominated Official Member appointed by the Governor of Uganda (High Commission Notice No. 8, 1948; Gazette, Vol. I, No. 2, 28 February 1948).

D. Acts Relating to Membership in the East African  
Central Legislative Assembly

An Act to Declare the Office of the Liwali for the Coast, in the Colony and Protectorate of Kenya, Not to be an Office of Profit under the Crown.

Short title: Liwali for the Coast (Dispensation) Act, 1948.

Statement of Objects and Reasons:

"It is deemed expedient to provide that the Office of the Liwali for the Coast in Kenya shall not be an office of profit under the Crown for any of the purposes of the East Africa (High Commission) Order in Council, 1947. This Bill is to be introduced, under the provisions of section 1 (4) (ii) of the Order in Council, in order that should the Assembly pass it, the High Commission may be free to appoint the Liwali for the Coast as the Arab Unofficial Member of the Assembly" (High Commission Notice No. 5, 1948; Gazette, Vol. I, No. 2, 28 February 1948).

/This Act,

This Act, No. 1 of 1948, was assented to 7 April 1948 by the High Commission and came into operation on the same date (Gazette Supplement No. 1, 1 May 1948).

The Secretary of State for the Colonies announced that His Majesty's power of disallowance would not be exercised in respect of this Act (High Commission Notice No. 17, 1948; Gazette, Vol. I, No. 5, 1 June 1948).

### III. SERVICES AND ADVISORY AND CONSULTATIVE BODIES

On 1 January 1948 the High Commission took over the administration of the services set out in the First Schedule of the East Africa (High Commission) Order in Council, 1947, and assumed the powers to appoint advisory and consultative bodies conferred upon it by Section 9 (1) (d) of the East Africa (High Commission) Order in Council, 1947 (High Commission Proclamation No. 2, 1948; Gazette, Vol. I, No. 1, 31 January 1948). The following services and advisory and consultative bodies have been established.

#### A. The East African Posts and Telegraphs Department

##### 1. Conversion

Under the East African Posts and Telegraphs (Conversion) Order, 1949, the East African Posts and Telegraphs Department was converted into a self-contained service of the High Commission with effect from 1 January 1949, and in accordance with the provisions of the Order (High Commission Notice No. 3, 1949; Gazette, Vol. II, No. 1, 1 January 1949).

##### 2. East African Posts and Telegraphs Advisory Board

The following members were appointed:

Kenya: Reginald Victor Stone, Vazier Eboo Pirthai.

Tanganyika: James Reid Leslie, Akberali Abdulhusein Adamjee.

Uganda: Henry Steven Potter, Cyril Handley Bird (Joseph Trevor Simpson alternative member during the absence of Cyril Handley Bird).

(High Commission Notice No. 10, 1948; Gazette, Vol. I, No. 3, 31 March 1948).

#### B. The East African Customs and Excise Department

##### 1. Commencement

The High Commission fixed the date 1 January 1949 as the date upon which it would take over the administration of the East African Customs and Excise Department (High Commission Proclamation No. 1, 1949, Gazette, Vol. II, No. 1, 1 January 1949).

##### 2. Amalgamation of Territorial departments

Under the East African Customs and Excise Department Order, 1949, the Kenya and Uganda Customs Department and the Tanganyika Customs Department were amalgamated, with effect from 1 January 1949, into the

/East African

East African Customs and Excise Department (High Commission Notice No. 2, 1949; Gazette, Vol. II, No. 1, 1 January 1949).

C. East African Railways and Harbours Administration

1. Commencement

The High Commission, on 1 May 1948, ordered that the Kenya and Uganda Railways and Harbours Service and the Tanganyika Railways and Ports Services be amalgamated and that they be known as the East African Railways and Harbours Administration (High Commission Notice No. 13, 1948; Gazette, Vol. I, No. 4, 1 May 1948).

The High Commission took over the administration of the East African Railways and Harbours Administration on 1 May 1948 (High Commission Proclamation No. 4, 1948, Gazette, Vol. I, No. 4, 1 May 1948).

2. Transfers of powers

The High Commission ordered that all statutory or other powers, duties or functions heretofore exercised by the High Commissioner for Transport established under the Kenya and Uganda (Transport) Orders in Council, 1925 to 1938, should, subject to any limitation or directions which may be imposed by the High Commission, be transferred with effect from 1 May 1948 to the Commissioner for Transport under the provisions of sub-section (1) of section 12 of part II of the East Africa (High Commission) Order in Council, 1947 (High Commission Notice No. 16, 1948; Gazette, Vol. I, No. 5, 1 June 1948).

3. Appointments

The Acting General Manager and the Acting Deputy General Manager were appointed (High Commission Notice No. 12, 1948; Gazette, Vol. I, No. 4, 1 May 1948). Thirty-five other new appointments to the staff were announced (Gazette, Vol. I, Nos. 5-12, Vol. II, Nos. 1 and 2).

4. Revocation of Regulations

In exercise of the powers conferred upon it by section 49 of the Harbours Regulation Ordinance, 1928, as amended by section 5 of the East African Railways and Harbours (Transitional Provisions) Act, 1948, the High Commission in the Harbours (Amendment) Regulations, 1949, revoked Regulations 160 to 178 both inclusive, of the Harbours Regulations, 1945 (High Commission Notice No. 13, 1949; Gazette, Vol. II, No. 2, 31 January 1949).

5. East African Railways and Harbours (Transitional Provisions) Act, 1948

The High Commission approved the introduction into the Central Assembly of the following Bill:

/A Bill



A Bill to make provision for the transfer to the East Africa High Commission of certain powers and duties in relation to the East Africa Railways and Harbours Administration, heretofore known as the Kenya and Uganda Railways and Harbours Services and the Tanganyika Railways and Ports Services, pending the making of a law to provide for the combined operation of the said East African Railways and Harbours Administration and for matters incidental thereto.

Short Title: East African Railways and Harbours (Transitional Provisions) Act, 1948 (High Commission Notice No. 22, 1948; Gazette, Vol. I, No. 7, 7 July 1948).

This Act, No. 2 of 1948, was assented to by the High Commission on 7 October 1948 (Gazette Supplement No. 2, 15 October 1948). It came into effect 15 October 1948 (High Commission Notice No. 36, 1948; Gazette, Vol. I, No. 11, 15 October 1948).

The Secretary of State for the Colonies announced that His Majesty's power of disallowance would not be exercised in respect of this Act (High Commission Notice No. 4, 1949; Gazette, Vol. II, No. 1, 1 January 1949)

#### 6. Appointments

The General Manager of the East African Railways and Harbours Administration, in exercise of the powers conferred upon him by section 4 (4) of the Ports Ordinance, as amended by the East African Railways and Harbours (Transitional Provisions) Act 1948, revoked the appointment of Port Officers contained in General Notice No. 856 of the 1943 Tanganyika Territory Gazette and appointed Port Officers in respect of twelve ports in Tanganyika Territory (High Commission, Notice No. 6, 1949; Gazette, Vol. II, No. 1, 1 January 1949).

#### D. East African Industrial Council

The High Commission ordered that all statutory or other powers, duties or functions exercised by the East African Industrial Council as originally constituted should be transferred to the East African Industrial Council as reconstituted under the East African Industrial Council Order, 1948.

#### 1. Functions

The functions of the Council as stated in the Order are as follows:

- (a) To advise the High Commission upon questions of policy relating to industrial development in East Africa;
- (b) To consider matters placed before it by the High Commission or by any of the East African Governments and to advise the High Commission or the Governments thereon;
- (c) To undertake such duties as may be assigned to the Council by the High Commission, by any of the East African Governments, by any

/Act

Act assented to by the High Commission, or by any legislation enacted in any of the East African Territories.

## 2. Membership

The membership of the Council consists of:

- (a) The Chairman who is the Administrator to the High Commission;
- (b) The Deputy Chairman who is the Economic Secretary to the High Commission;
- (c) One member to be appointed by the High Commission;
- (d) Three members to be appointed by the Governor of Kenya;
- (e) Three members to be appointed by the Governor of Tanganyika;
- (f) Three members to be appointed by the Governor of Uganda.

Appointed members hold office for a period of two years and are eligible for reappointment. Meetings are held at such times and places as the Chairman may from time to time appoint but there shall be a meeting at least once a year (The East African Industrial Council Order, 1948; High Commission Notice No. 31, 1948; Gazette, Vol. I, No. 9, 1 September 1948).

## 3. Appointments

The following appointments to the Council were announced.

- (a) Member appointed by the High Commission:  
Sir Reginald Robins
- (b) Members appointed by the Governor of Kenya:  
The Secretary for Commerce and Industry  
A. J. Don Small  
D. D. Puri
- (c) Members appointed by the Governor of Tanganyika:  
The Financial Secretary to the Government of Tanganyika  
E. C. Phillips  
A. A. Adamjee
- (d) Members appointed by the Governor of Uganda:  
C. C. Spencer  
H. K. Jaffer  
J. Simpson

(High Commission Notice No. 35, 1948; Gazette, Vol. I, No. 10, 30 September 1948).

## 4. Industrial licencing

Ten applications for industrial licences were announced in the Gazette during 1948. These concerned Uganda only.

/E. The Transport

### E. The Transport Advisory Council

The High Commission took over the functions of the East African Transport Policy Board on 1 January 1948 under the powers conferred upon it by paragraph (e) of sub-section (1) of section 9 of the East Africa (High Commission) Order in Council, 1947 (High Commission Proclamation No. 2; Gazette, Vol. I, No. 1, 31 January 1948).

#### 1. Appointments

In accordance with the provisions of Section 9 (1) (e) of the East Africa (High Commission) Order in Council, 1947, the High Commission appointed a Transport Advisory Council consisting of:

The Commissioner for Transport, ex officio, Chairman

Sir Alfred Vincent, Member

Brigadier W. H. Scupham, Member

H. K. Jaffer, Member

#### Appointed by the Government of Kenya

Major H. H. de V. Joyce, Member

George A. Tyson, Member

#### Appointed by the Government of Tanganyika

Mr. A. Carson, Member

A. A. Adamjee, Member

#### Appointed by the Government of Uganda

The Financial Secretary, Uganda, Member

J. T. Simpson, Member

Mrs. R. Watkins-Pitchford, Secretary (High Commission Notice No. 21; Gazette, Vol. I, No. 6, 1 July 1948).

#### 2. Appointments to Railways and Ports Committees

##### Railway Committee

##### (a) Appointed by the Transport Advisory Council

Brigadier W.E.H. Scupham

J. T. Simpson

M. A. Carson

##### (b) Appointed by the Government of Kenya

The Member for Finance, Kenya.

The Hon. L. R. Maconochie-Welwood

##### (c) Appointed by the Government of Tanganyika

The Financial Secretary, Tanganyika

The Hon. I. C. Chopra

##### (d) Appointed by the Government of Uganda

The Deputy Development Commissioner, Uganda

A. N. Maini

/Ports Committee



Ports Committee

- (a) Appointed by the Transport Advisory Council  
George A. Tyson  
A. A. Adamjee  
H. K. Jaffer
- (b) Appointed by the Government of Kenya  
The Deputy Provincial Commissioner, Coast Province  
W.R.H. Austin
- (c) Appointed by the Government of Tanganyika  
The Deputy Chairman, Development Commission, Tanganyika  
J. S. Davis
- (d) Appointed by the Government of Uganda  
L. Shoolman  
A. S. Folkes

(High Commission Notice No. 12, 1949; Gazette, Vol. II, No. 2, 31 January 1949).

F. The East African Directorate of Civil Aviation

The High Commission replaced and took over the functions of the East African Air Transport Authority on 1 January 1948 (High Commission Proclamation No. 2; Gazette, Vol. I, No. 1, 31 January 1948).

1. Appointments

The appointments of the Director (High Commission Notice No. 1, 1948; Gazette, Vol. I, No. 1, 31 January 1948) and of eighteen other officers of the East African Directorate of Civil Aviation were announced (Gazette, Vol. I, Nos. 1-12, 1948).

2. East African Airways Corporation

The appointment of the Chairman (High Commission Notice No. 5, 1949; Gazette, Vol. II, No. 1, 1 January 1949) and of a member, William George Drummond Hay Nicol (High Commission Notice No. 10, Gazette, Vol. II, No. 2, 31 January 1949) was announced.

G. The East African Research Services

1. The East African Agricultural and Forestry Research Organization

The appointment of the Director was announced (High Commission Notice No. 1, 1948; Gazette, Vol. I, No. 1, 31 January 1948).

2. East African Veterinary Research Organization

Fifteen staff appointments were announced (Gazette, Vol. I, Nos. 8 and 12).

3. East African Tsetse and Trypanosomiasis Research Organization

Nine appointments including that of the Director, were announced (Gazette, Vol. I, Nos. 2-6 and 13).

/4. East African

4. East African Industrial Research Board

The appointment of the Acting Chairman was announced (High Commission Notice No. 1, 1948; Gazette, Vol. I, No. 1, 31 January 1948).

H. The East African Literature Bureau

The High Commission took over the administration of the East African Literature Bureau on 1 January 1948 (High Commission Proclamation No. 2, 1948; Gazette, Vol. I, No. 1, 31 January 1948). The appointments of a director and of four other members were made. (Gazette, Vol. I, Nos. 5, 8, 9).

I. Makerere College

The High Commission declared that the date 1 August 1948 would be the date with effect from which the Assembly is empowered to pass laws with respect to Makerere College (including professional schools and research institutes connected with the College). (High Commission Notice No. 25, 1948; Gazette, Vol. I, No. 8, 1 August 1948).

J. East African Refugee Administration

The appointment of the Commissioner was announced (High Commission Notice No. 1, 1948; Gazette, Vol. I, No. 1, 31 January 1948).

K. East African Directorate of Demobilization,  
Rehabilitation and Training

The appointment of the Assistant Director of Training was announced as well as those of two other officers (High Commission Notice No. 1, 1948; Gazette, Vol. I, No. 1, 31 January 1948).

-----