

(4.) All regulations and rules made under the Africa Orders shall remain in force until otherwise provided by Ordinance.

29. This Order shall commence and have effect as follows:—

(1.) As to the making of any warrant or appointment, the framing of Ordinances and Rules of Procedure, the issue of instructions, and as to any other provisions necessary for bringing this Order into effect, immediately from and after the date of this Order.

(2.) As to all other matters and provisions comprised and contained in this Order, immediately after this Order is first published in the Gazette, and the time of such publication shall be deemed to be the time of the commencement of this Order.

And the Most Honourable the Marquess of Lansdowne, K.G., one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

A. W. FitzRoy.

At the Court at *Buckingham Palace*, the 11th day of *August*, 1902.

PRESENT,

The KING's Most Excellent Majesty
in Council.

WHEREAS the territories of Africa situate within the limits of this Order are under the protection of His Majesty the King, and are known as the British Central Africa Protectorate:

And whereas by Treaty, grant, usage, sufferance, and other lawful means, His Majesty has power and jurisdiction within the said territories:

Now, therefore, His Majesty, by virtue and in exercise of the powers on this behalf by the Foreign Jurisdiction Act, 1890, or otherwise, in His Majesty vested, is pleased, by and with the advice of his Privy Council, to order, and it is hereby ordered, as follows:—

Preliminary.

1. This Order may be cited as "the British Central Africa Order in Council, 1902."

The limits of this Order are the territories of Africa situate to the west and south of Lake Nyassa, and bounded by North-Eastern Rhodesia, German East Africa, and the Portuguese territories.

The said territories are in this Order referred to as "British Central Africa" and "the Protectorate."

If His Majesty is pleased to direct that any other territories, for the time being under the protection of his Majesty, shall form part of the Protectorate, those territories shall, from and after a date to be fixed by an order of the Secretary of State, be deemed to be within the limits of this Order. In like manner, if His Majesty is pleased to direct that any territories for the time being forming part of the Protectorate shall cease to form part thereof, those territories shall, from and after a date to be fixed by an order of the Secretary of State, cease to be within the limits of this Order.

2. In this Order—

"Secretary of State" means one of His Majesty's Principal Secretaries of State;

"Crown Lands" means all public lands in the Protectorate which are subject to the control of His Majesty by virtue of any Treaty, Convention, or Agreement, or of His Majesty's Protectorate, and all lands which shall have been acquired by His Majesty for the public service or otherwise howsoever;

"Gazette" means the Gazette of the Protectorate;

"Person" includes Corporation;

Words importing the plural or the singular may be construed as referring to one person or thing, or to more than one person or thing, and words importing the masculine as referring to females (as the case may require).

3. (1) Where this Order or any Ordinance confers a power or imposes a duty, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires.

(2) Where this Order or any Ordinance confers a power or imposes a duty on the holder of an office, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed by the holder of the office for the time being, or by a person duly appointed to act for him.

(3) Where this Order or any Ordinance confers a power to make rules, regulations, or orders, then, unless a contrary intention appears, the power shall be construed as including a power, exercisable in the like manner and subject to the like approval and conditions (if any) to rescind, revoke, amend, or vary the rules, regulations, or orders.

(4) Expressions defined in this Order shall have the same respective meanings in any Ordinances, rules, or regulations made under this Order, unless a contrary intention appears.

Administration.

4. (1) His Majesty may by Commission under His Sign Manual and Signet appoint a fit person to administer the Government of British Central Africa, under the designation of Commissioner, or such other designation as His Majesty thinks fit, and the person so appointed is hereinafter referred to as the Commissioner.

(2) In the event of the death, incapacity, removal, or absence from the Protectorate of the Commissioner for the time being, all and every the powers and authorities by this Order granted to him shall, until His Majesty's further pleasure is signified through the Secretary of State, be vested in the Deputy Commissioner or other principal officer of the Protectorate Government for the time being in the Protectorate.

(3) The Commissioner shall administer the Government of the Protectorate in the name and on behalf of His Majesty, and shall do and execute in due manner all things that shall belong to his said command and to the trust thereby reposed in him, according to the several powers and authorities granted or appointed to him by virtue of this Order and of his Commission, and according to such instructions as may from time to time be given to him under His Majesty's Sign Manual and Signet, or by Order of His Majesty in Council, or by His Majesty through a Secretary of State, and according to such laws as are or shall hereafter be in force in the Protectorate.

5. The Commissioner shall have an official seal, bearing the style of his office, and such device as a Secretary of State from time to time approves, and such seal shall be deemed the public seal of British Central Africa, and may be kept and used by the Commissioner for the sealing of all things whatsoever that shall pass the public seal. And, until a public seal shall be provided, the seal of the Commissioner may be used as the public seal.

6.—(1) The Commissioner may, with the approval of the Secretary of State, by Proclamation, define any boundaries of the territories for the time being within the limits of this Order,