

4. In all cases civil and criminal to which Africans are parties every Court—

(a) shall be guided by African customary law so far as it is applicable and is not repugnant to justice and morality or inconsistent with the Order in Council or any written law; and

(b) shall decide all such cases according to substantial justice without undue regard to technicalities or procedure and without undue delay.

5. All proceedings commenced or pending immediately before the appointed day before the former Supreme Court may be continued and conducted before the Supreme Court, subject to such modifications as are necessitated by the coming into operation of the Constitution of Kenya.

6. Any judgment given by the former Supreme Court which immediately before the appointed day had not been fully executed or enforced may be executed and enforced in the same manner as if it were a judgment of the Supreme Court.

7. In respect of any judgment given before the appointed day by the former Supreme Court an appeal to the Court of Appeal may be commenced, continued and concluded, or continued and concluded (as the case may be), as if it were a judgment given by the Supreme Court:

Provided that no appeal shall lie to the Court of Appeal from any final decision or any part of any final decision where there was a right of appeal under section 64F of the Kenya (Constitution) Order in Council, 1958, as amended.

Made this 27th day of May 1963.

MALCOLM MACDONALD,

Governor.

LEGAL NOTICE No. 320

THE KENYA ORDER IN COUNCIL 1963

(L.N. 245 of 1963)

IN EXERCISE of the powers conferred by section 11 of the Kenya Order in Council 1963, and of all other powers thereunto enabling him, the Governor hereby makes the following Regulations:—

THE KENYA (AMENDMENT OF LAWS) (PROMISSORY OATHS) REGULATIONS, 1963

1. These Regulations may be cited as the Kenya (Amendment of Laws) (Promissory Oaths) Regulations, 1963, and shall come into operation on the day appointed under section 1 (2) of the Kenya Order in Council 1963.

2. There shall be substituted for the First and Second Schedules to the Promissory Oaths Ordinance two new Schedules as follows:— Cap. 100.

FIRST SCHEDULE

<i>Person required to take oath</i>	<i>Person before whom oath to be taken</i>	<i>Oath</i>
Governor. Deputy Governor. A person designated to act as Governor.	} The Chief Justice	Oath of Allegiance. Oath for Due Execution of Office.
Prime Minister. Minister of the Government of Kenya.	} The Governor	Oath of Allegiance. Oath of Member of Cabinet.
Parliamentary Secretary.	The Governor	Oath of Allegiance. Oath for Due Execution of Office.
Secretary to the Cabinet.	The Governor	Oath of Secretary to Cabinet.
Speaker of the House of Representatives. Every Member of the House of Representatives.	} The House of Representatives	Oath of Allegiance.
Speaker of Senate. Every Member of the Senate.	} The Senate	Oath of Allegiance.
President of a Regional Assembly. Every Member of a Regional Assembly.	} The Regional Assembly	Oath of Allegiance.
President and Justice of Appeal of the Court of Appeal for Kenya. Chief Justice. Puisne Judge.	} The Governor	Oath of Allegiance. Judicial Oath.
Magistrate, Registrar, Deputy Registrar and District Registrar of the Supreme Court. Justice of the Peace.	} A Judge or such other person as the Governor may appoint	Oath of Allegiance. Judicial Oath.

SECOND SCHEDULE

FORM OF OATHS

1. *Oath of Allegiance*

I, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law. So help me God.

2. *Oath for Due Execution of Office*

I,, do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second in the office of So help me God.

3. *Oath of Member of Cabinet*

I, being chosen and admitted of the Cabinet in Kenya, do swear that I will be true and faithful to Kenya, and that I will to the best of my judgment freely give my counsel and advice for the good management of the public affairs of Kenya; And I do swear that, except with the authority of the Governor or the Prime Minister, I will not directly or indirectly reveal the business or proceedings of the Cabinet or the nature or contents of any document communicated to me as a Member of the Cabinet or any matter coming to my knowledge in my capacity as a Member of the Cabinet, and that in all things I will be a true and faithful Minister. So help me God.

4. *Oath of Secretary to the Cabinet*

I, being called upon to exercise the functions of Secretary to the Cabinet in Kenya, do swear that, except with the authority of the Governor or the Prime Minister, I will not directly or indirectly reveal the business or proceedings of the Cabinet, or the nature or contents of any document communicated to me as Secretary to the Cabinet or any matter coming to my knowledge in my capacity as Secretary to the Cabinet. So help me God.

5. *Judicial Oath*

I, do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second in the office of and that I will do right to all manner of people according to law, without fear or favour, affection or ill-will. So help me God.

Made this 27th day of May 1963.

MALCOLM MACDONALD,

Governor.